IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

963 CIVIL APPLICATION NO.9637 OF 2018
IN FAST/26002/2016
WITH CA/9102/2018 IN FAST/23283/2016
WITH CA/9103/2018 IN FAST/23285/2016

PREMNATH RAGHUNATH GAIKWAD DEAD THR HIS LRS
HIRKANBAIAND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicants : Mr. Ingale Vivekanand V.
AGP for Respondents/State : Mr. S.P. Deshmukh
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 19th JULY 2019

ORDER :

. Issue notice to the respondents. Learned AGP waives notice for respondent Nos.1 and 2.

2. Heard learned counsel for the applicant and learned AGP for respondent Nos.1 and 2.

3. The learned AGP objects these applications for condonation of delay. However, after going through paragraph No.4 of the application, it appears that due to illiteracy, the applicants could not file appeal within time limit. As the applicant has assigned sufficient reason for delay, the applications are allowed and disposed of in terms of

prayer clause (B), subject to condition that the applicants shall file written undertaking in respective First Appeals within period of eight weeks from the date of passing of this order regarding waiver of statutory benefits for the period of delay.

4. First Appeal (Stamp) Nos.26002 of 2016, 23283 of 2016 and 23285 of 2016 be registered. Upon registration of First Appeals, issue notices to the respondents. The learned AGP waives service of notice for respondent Nos.1 and 2.

5. Record and proceeding be called.

6. Stand over to 19.11.2019

(Smt. Vibha Kankanwadi, J.)

Shubham/