

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL JURISDICTION
CIVIL APPLICATION NO.603 OF 2017
IN
FIRST APPEAL (ST) NO. 40548 OF 2003**

The State of Maharashtra

.. Applicant

Versus

Smt. Saraswatibai Appaso Ghatage
(Since deceased by her L.Rs.)
Jaysing alias Balasaheb Appaso Ghatage
and Ors.

.. Respondents

...

Ms. Tanaya Goswami, AGP for the State/Applicant.

CORAM: BHARATI DANGRE, J.

DATED : 30th AUGUST, 2019.

P.C:-

1. State of Maharashtra has taken out an application for condonation of delay seeking relief to condone the delay of 152 days in filing the First Appeal against the judgment and award dated 23rd January, 2003 passed by the III Additional District Judge, Kolhapur, in L.A.R. No. 137/1993. Learned AGP has invited my attention to the reasons set out in the said application and on perusal of the same and in particular, in paragraph 2 of the application, where detail day-to-day explanation is offered by the

State Government as to the steps taken by it to file the First Appeal, I am satisfied that sufficient cause has been shown to condone the delay in terms of the Section 5 of the Limitation Act. Hence, Civil Application No. 603/2017 is allowed.

2. Registry is directed to register the First Appeal and upon registration of the same, issue notice to the respondent, returnable after 6 weeks.

SMT. BHARATI DANGRE, J.