

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL JURISDICTION**

**CIVIL APPLICATION NO.3678 OF 2015
IN
FIRST APPEAL (ST) NO. 33432 OF 2010
WITH
CIVIL APPLICATION NO. 3769 OF 2015**

The State of Maharashtra and Ors.

.. Applicants

Versus

Hirabai Sahebrao Patil
through her legal heir
1a. Hanumant Devrao
@ Sahebrao Patil

.. Respondent

...

Ms. Tanaya Goswami, AGP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 30th AUGUST, 2019.

P.C:-

1. Civil Application No. 3678/2015 is filed by the State of Maharashtra seeking condonation of delay of 96 days in filing the First Appeal against the judgment and award dated 9th April, 2010 passed by the Civil Judge, Senior Division, Barshi, District-Solapur in L.A.R. No. 650 of 2002. The application proceeds to bring out the date-wise events which took place from the day on

Sonali Patil

which certified copy of the judgment and award was obtained till the date when appeal came to be instituted, alongwith the application for grant of stay.

2. On perusal of the said reasons, in paragraph 2 of the application, State has sufficiently explained the delay in filing the First Appeal and same being bonafide, I am inclined to condone the delay. Resultantly, Civil Application No. 3678/2015 is allowed in terms of prayer clause (a). Registry is directed to register the First Appeal and upon registration of the same, issue notice to the respondent, returnable after 3 weeks.

3. Civil Application No. 3769/2015 is filed seeking stay to the effect and operation of the judgment and award passed by the Civil Judge, Senior Division, Barshi, Solapur in L.A.R. No. 650 of 2002. The learned AGP on instruction makes statement that the appellant is ready and willing to deposit the amount within a period of six weeks in this Court. Upon such deposit being made, there shall be stay to the effect and operation of the impugned judgment.

SMT. BHARATI DANGRE, J.