

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION No.380 OF 2018

Tanaji Hanumant Bhagare (deceased)
through LRs Dhananjay Tanaji Bhagare and Ors. ...Applicants
Vs.
Prathamesh Prakash Patil and Ors. ...Respondents

Mr. Vishwasrao S. Deokar for Applicants.
Mr. S.S. Pednekar-APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATE : APRIL 9, 2019.

P.C.:

This is an application seeking condonation of delay in filing an application seeking leave to appeal. The delay is of 40 days. Office note shows that the respondent nos. 2 has served personally but marked in respect of the respondent no. 1 is silent. It also reveals that the notice has been accepted on behalf of the respondent no. 1 by the person name K.G. Lokhande. However, learned counsel for the applicants filed affidavit of service. In any case, the delay is of 40 days and for the reasons assigned in Paragraphs 2 to 4 the delay of 40 days needs to be condoned in the interest of justice. Hence, the application is allowed in terms of prayer clause (a). Although, the respondent no. 2 has served, he has not caused his appearance on his behalf.

2. Application is accordingly disposed off.

[SMT. SADHANA S. JADHAV, J.]

