

bdp

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

**CIVIL APPLICATION NO. 468 OF 2019
IN
FIRST APPEAL (ST.) NO. 23830 OF 2017**

The State of Maharashtra ... Applicant
V/s.
Late Kalpana Anant Gharat @ Kalpana
Dharma Patil (since deceased through legal heirs)
Shri Rajendra Dharma Patil & Ors. ... Respondents

.....
Mrs. Tanaya Goswami, AGP for the Applicant.
Mr. Hemant Ghadigoankar for the Respondent Nos. 1 to 5.
.....

CORAM : K.K. TATED, J.

DATE : 25th JUNE, 2019.

P.C.:

Heard learned Counsel for the parties.

2. By this Civil Application, Applicant-State of Maharashtra is seeking condonation of 142 days delay in filing the First Appeal challenging the Judgment and Award dated 28th November 2016 passed by the learned Civil Judge, Senior Division, Alibaug at Raigad in L.A.R. No. 178 of 2016.

3. Considering the submissions made by the learned Counsel for the Applicant and averments made in Civil Application, I am satisfied that the Applicant has made out a case for allowing this Civil Application. Hence, following order is passed:

- i) Civil Application is allowed in terms of prayer clause (b), which reads thus:-

“(b) This Hon'ble Court be pleased to condone the delay of 142 days in filing the above mentioned First Appeal against the Judgment and Award dated 28.11.2016 passed by the Learned Civil Judge, Senior Division, Alibag, Raigad, in L.A.R. No. 178 of 2016”

- ii) Civil Application stands disposed off accordingly.
- iii) No order as to costs.

(K.K. TATED, J.)