

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.8689 OF 2021 IN
FIRST APPEAL ST. NO.18512 OF 2021**

Pandurang Govindrao Waghmare ... APPLICANT

VERSUS

The State of Maharashtra & ors. ... RESPONDENTS

.....
Mr. A.D. Hande, Advocate for applicant
Mr. S.N. Morampalle, A.G.P. for R.No.1 and 2
.....

CORAM : R. G. AVACHAT, J.

DATE : 16th NOVEMBER, 2021

PER COURT :

In spite of service of notice, none appears for respondent No.3. For the reasons given in the application, the same is allowed in terms of prayer clause (A). Delay condoned. Appeal be registered. However, the applicant/ appellant shall not be entitled for the component of interest for the delayed period of 1444 days. It also appears that, the application was filed way back in April 2019, however, it was circulated for the first time in August 2021. In view of the same, the applicant/ appellant shall also not be entitled entitled for the component of interest for the delayed period

from 22/4/2019 till August 2021 for seeking circulation of this matter, if the applicant/ appellant succeeds in the appeal.

2. On registration of appeal, notice be issued to the respondents returnable on 25th January 2022. Learned A.G.P. waives service for respondents No.1 and 2.

3. Call for record and proceedings.

**(R. G. AVACHAT)
JUDGE**

fmp/-