

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION (F) NO. 1150 OF 2019
IN
FIRST APPEAL ST. NO. 5974 OF 2016

MOHD. RAFIQUE ABDUL RAZZAQ
VERSUS
STATE OF MAHARASHTRA AND OTHERS

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V. N. Patre, Advocate for applicant /appellant.
Ms. S. S. Jachak, AGP for respondent Nos.1 to 3.

CORAM : A.S. CHANDURKAR AND G. A. SANAP, JJ.

DATE : JUNE 29, 2021.

Hearing was conducted through video conferencing and the learned Counsel agreed that the audio and visual quality was proper.

Heard Shri V. N. Patre, learned counsel for the applicant and Ms. S. S. Jachak, learned AGP for respondent Nos.1 to 3.

This is an application for condonation of delay of eight days in filing the first appeal.

Perused the record and proceedings. The reasons for condoning the delay have been mentioned in the application. The learned AGP for the respondent Nos.1 to 3 has opposed the application contending that the reasons mentioned in the application are not probable. Learned counsel for the applicant submits that the State has filed appeal against the impugned order. He submits that in order to meet the ends of justice and to decide the matter on merit, the applicant deserves an

opportunity.

On perusal of the reasons mentioned in the application, we do not see any reason to reject the application.

In the facts and circumstances of the case, the applicant / appellant deserves an opportunity of hearing decision of the appeal on merits. Accordingly, we deem it appropriate to grant this application. The application is allowed. The delay is condoned. The appeal be taken on board.

FIRST APPEAL ST. NO. 5974 OF 2016

Heard.

Admit.

Mrs. S. S. Jachak, learned AGP for respondent Nos.1 to 3 waives service for respondent Nos.1 to 3.

This First Appeal to be heard with First Appeal No.490 of 2017 filed by the State.

(G. A. SANAP, J.)

(A.S. CHANDURKAR, J.)