

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

CIVIL APPLICATION NO. 6423 OF 2012
IN
FIRST APPEAL STAMP NO. 8149 OF 2012

MADHAVRAO HAWANAPPA NUCHE AND ANR
VERSUS
THE STATE OF MAH AND ORS

...
Advocate for Applicants : Mr. G N Chincholkar
AGP for Respondents: Mrs. D. S. Jape
Advocate for respondent No.3 : Mr. S. C. Arora

....

**CORAM : S. G. DIGE, J.
DATE : 24.08.2022**

PER COURT :-

Heard learned counsel for the appellant. Learned AGP for respondent Nos. 1 and 2 and learned counsel for respondent No.3.

2. Learned counsel Mr. S.C. Arora waives service of notice for respondent No.3.

3. Considering submission of both the learned counsel and reasons mentioned in the application, delay of 251 days for filing First Appeal is condoned.

4. Applicant shall not claim interest and statutory

benefits for delayed period and shall file undertaking in that regard.

5. Learned counsel for the appellants submit that name of respondent No.4 be deleted from title clause of the appeal memo. Considering submission of learned counsel for the appellant, name of respondent No.4 be deleted at the risk of appellant.

6. List the First Appeal on 15.09.2022.

**(S.G. DIGE,)
JUDGE**

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