

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

**CIVIL APPLICATION NO.6040 OF 2020 IN
FIRST APPEAL ST. NO. 12678 OF 2019**

Santosh Uttam Sable

Applicant

Versus

The State of Maharashtra & others

Respondents

Mr. M. K. Jadhav, advocate holding for Mr. A. S. More, advocate for the Applicant

Mr. A. A. Jagatkar, AGP for Respondents No.1 & 2.

CORAM : SANDIPKUMAR C. MORE J.

DATE : 15th September, 2022.

PC :

Heard rival submissions.

The applicant is seeking condonation of delay of 825 days which appears to be caused due to his poor financial condition.

The learned AGP strongly opposed the application on the ground that the delay is not explained properly. Respondent No.3 – acquiring body, though served, but failed to appear.

However, considering the statutory right of the applicant to defend and for the reasons stated in the application, delay of 825 days stands condoned subject to the condition that

the applicant shall not claim any interest for the aforesaid period of delay.

The appeal be placed for admission after removal of office objections, if any.

Civil Application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb