

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
6 CIVIL APPLICATION NO.11461 OF 2016
IN FAST/22135/2016**

**BALAJI BABUAPPA RAKATE
VERSUS
THE STATE OF MAHARASHTRA**

Mr. A. S. Shivpuje, Advocate for the applicant
Mr. P. M. Kulkarni, AGP for the respondent Nos.
1 and 2 /State
Mr. S. S. Dandge, AGP for the respondent No.3

CORAM : S. G. DIGE, J.

DATE : 01st August, 2022

P. C.

1. Heard the learned counsel for the applicant, the learned AGP for the respondent Nos. 1,2 and 3.

2. Mr. Kulkarni, AGP waives service of notice for respondent Nos. 1 and 2. Mr. Dande, learned counsel waives service of notice for respondent Nos.3.

(2)

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3. Considering the submissions of all the learned counsels and reasons mentioned in the application, the application is allowed. The delay of 236 days for filing the first appeal is condoned.

4. The applicant shall not claim interest and statutory benefits for delayed period and shall file undertaking in that regard.

5. The appeal be registered subject to removal of office objections, if any.

6. The application is disposed of.

[S. G. DIGE, J.]