

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 15374 OF 2022 IN
FIRST APPEAL (ST.) NO. 23260 OF 2022

The State of Maharashtra Applicant

Versus

Suryakant Limbaji Daigude Respondent

WITH
CIVIL APPLICATION NO. 15377 OF 2022 IN
FIRST APPEAL (ST.) NO. 22695 OF 2022

The State of Maharashtra Applicant

Versus

Prabhu Madhu Jagtap Respondent

WITH
CIVIL APPLICATION NO. 15379 OF 2022 IN
FIRST APPEAL ST. NO. 22691 OF 2022

The State of Maharashtra Applicant

Versus

Shaikh Nasir Fattemohamd Respondent

WITH
CIVIL APPLICATION NO. 15381 OF 2022 IN
FIRST APPEAL ST.NO. 22684 OF 2022

The State of Maharashtra Applicant

Versus

Shaikh Habib Fattemohamd Respondent

WITH
CIVIL APPLICATION NO. 15383 OF 2022 IN
FIRST APPEAL ST. NO. 23089 OF 2022

The State of Maharashtra

Applicant

Versus

Kashinath Ganipati Madnure

Respondent

WITH
CIVIL APPLICATION NO. 15386 OF 2022 IN
FIRST APPEAL ST. NO. 22700 OF 2022

The State of Maharashtra

Applicant

Versus

Sau. Padminbai w/o Dattoba Dhaigude

Respondent

Mr. A. M. Phule, APP for the applicant/State.

Mr. G. K. Sontakke, Advocate for the respondents.

**CORAM : R. G. AVACHAT &
R. M. JOSHI, JJ.**

DATE : 18th NOVEMBER, 2022.

PER COURT :

1. Issue notice to respondents. Learned counsel

Mr. Sontakke waives service of notice on behalf of the respondents.

By consent of both sides, applications are heard.

2. Learned APP submits that the delay caused in preferring
appeals against the impugned judgment is on account of procedural

lapses and not deliberate one. He also drew attention of this Court to the appeals filed and admitted before this Court arising out of the same award. Thus, according to him, for this reason also, delay caused in preferring the appeals deserves to be condoned.

3. Learned advocate for respondents opposed the said contention stating the amount of delay.

4. There is no dispute about the fact that the other appeals arising out of the same award are already admitted by this Court. Perusal of applications for condonation of delay shows that delay is not deliberate and hence interest of justice requires the same should be condoned and appeals are heard on merit. In the result, applications are allowed. Delay caused in preferring appeals stands condoned. Applications stand disposed of.

(R. M. JOSHI)
Judge

(R. G. AVACHAT)
Judge

dyb

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL (ST.) NO. 23260 OF 2022

The State of Maharashtra Appellant

Versus

Suryakant Limbaji Daigude Respondent

WITH
FIRST APPEAL (ST.) NO. 22695 OF 2022

The State of Maharashtra Appellant

Versus

Prabhu Madhu Jagtap Respondent

WITH
FIRST APPEAL ST. NO. 22691 OF 2022

The State of Maharashtra Appellant

Versus

Shaikh Nasir Fattemohamd Respondent

WITH
FIRST APPEAL ST.NO. 22684 OF 2022

The State of Maharashtra Appellant

Versus

Shaikh Habib Fattemohamd Respondent

WITH

FIRST APPEAL ST. NO. 23089 OF 2022

The State of Maharashtra

Appellant

Versus

Kshinath Ganpati Madnure

Respondent

WITH

FIRST APPEAL ST. NO. 22700 OF 2022

The State of Maharashtra

Appellant

Versus

Sau. Padminbai w/o Dattoba Dhaigude

Respondent

Mr. A. M. Phule, APP for the appellant/State.

Mr. G. K. Sontakke, Advocate for the respondents.

CORAM : R. G. AVACHAT &

R. M. JOSHI, JJ.

DATE : 18th NOVEMBER, 2022.

PER COURT :

Admit.

Call R & P.

(R. M. JOSHI)
Judge

(R. G. AVACHAT)
Judge

dyb

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO. 15375 OF 2022 IN
FIRST APPEAL (ST.) NO. 23260 OF 2022

The State of Maharashtra Applicant

Versus

Suryakant Limbaji Daigude Respondent

WITH
CIVIL APPLICATION NO. 15378 OF 2022 IN
FIRST APPEAL (ST.) NO. 22695 OF 2022

The State of Maharashtra Applicant

Versus

Prabhu Madhu Jagtap Respondent

WITH
CIVIL APPLICATION NO. 15380 OF 2022 IN
FIRST APPEAL ST. NO. 22691 OF 2022

The State of Maharashtra Applicant

Versus

Shaikh Nasir Fattemohamd Respondent

WITH
CIVIL APPLICATION NO. 15382 OF 2022 IN
FIRST APPEAL ST.NO. 22684 OF 2022

The State of Maharashtra Applicant

Versus

Shaikh Habib Fattemohamd Respondent

WITH
CIVIL APPLICATION NO. 15385 OF 2022 IN
FIRST APPEAL ST.NO. 22689 OF 2022

The State of Maharashtra

Applicant

Versus

kashinth Ganpati Madnure

Respondent

WITH

CIVIL APPLICATION NO. 15387 OF 2022 IN
FIRST APPEAL ST. NO. 22700 OF 2022

The State of Maharashtra

Applicant

Versus

Sau. Padminbai w/o Dattoba Dhaigude

Respondent

Mr. A. M. Phule, APP for the applicant/State.

Mr. G. K. Sontakke, Advocate for the respondents.

**CORAM : R. G. AVACHAT &
R. M. JOSHI, JJ.**

DATE : 18th NOVEMBER, 2022.

PER COURT :

1. Issue notice to respondents returnable on 16th December, 2022. Learned counsel Mr. Sontakke waives service of notice on behalf of the respondents.

2. On depositing entire amount awarded vide the impugned judgment with interest accrued, within a period of 12 weeks from today, ad-interim relief is granted in terms of prayer clause 'B'.

**(R. M. JOSHI)
Judge**

**(R. G. AVACHAT)
Judge**