

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

**CRIMINAL APPLICATION NO.4190 OF 2022
IN
CRIMINAL APPEAL OF 638 OF 2016**

Gopalrao S/O Malhari Ambhore (died Through Legal Heir)
Smt. Gayabai w/o. Late Gopalrao Ambhore
Versus
The State of Maharashtra and others

Mr.P.P.Mandlik, Advocate for applicant
Mr.R.V.Dasalkar, APP for respondent no.1
Mr.S.S.Lohare, Advocate h/f. Mr.N.S.Ghanekar, Advocate for
respondent nos.2 to 6

**CORAM : R.G.AVACHAT AND
R.M.JOSHI, JJ.
DATE : DECEMBER 20, 2022**

ORDER :-

Heard learned counsel for the applicant as well as the respondents.

2. By this application, the legal representative of the appellant – Gopalrao Ambhore is seeking herself to be impleaded in his place, on his demise and there is delay of 192 days in making the application.

3. Learned counsel for the contesting respondents opposed the application.

4. For the reasons mentioned in the application, we find that the delay is not deliberate. The appeal against acquittal is already

admitted by this Court and it is the right of the legal representative of the deceased to pursue the same.

5. Since there is no deliberate delay on the part of the applicant to bring herself on record in place of the original appellant, the application is allowed in terms of prayer clauses (B) and (C).

[R.M. JOSHI, J.]

[R.G. AVACHAT, J.]

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