

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

30 CIVIL APPLICATION NO.9627 OF 2021
IN FAST/36216/2019

BALIRAM DAGDOBA GAWALI (DIED) THR LRS UTTAMRAO BALIRAM
GAWALI
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicant : Mr. Koralkar Arun H.
AGP for Respondents/State : Mrs. D.S. Jape
...

CORAM : S.G. DIGE, J.
DATE : 20th June, 2022

PC.:-

Heard learned counsel for the applicant and respondent no1.
Though respondent no.3 is served with notice but none appears for
respondent no.3.

2. Learned counsel for the applicant submits that in the connected
group of matters the delay is condoned by this Court i.e. Civil Application
No.5442/2014. Due to weak financial condition, applicant could not prefer
appeal within the stipulated period, hence, requested to allow the application.
Considering the reasons mentioned in the application as well as in connected
matters, this Court has condoned the delay, hence I pass the following order:

ORDER:

- i) Delay of 2007 days is condoned.
- ii) Applicant shall not claim interest for delayed period.
- iii) Appeal be registered. Call R & P
- iv) Issue notice to the respondents in First Appeal Stamp, returnable on 28.09.2022. Learned AGP waives service for respondent no1.

[S.G. DIGE, J.]