

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

907 CIVIL APPLICATION NO.6063 OF 2018
IN FAST/38592/2017

DATTA EAKNATH ZEEL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. Shinde Shrikishan S.
AGP for Respondents – State : Mr. P. N. Kutti
Advocate for Respondent No. 2 : Mr. Rajale Gulab B.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 26.08.2022

PER COURT :

. The learned counsel for the applicant submits that though respondent No. 4-(a) is no more but her sole legal representatives i.e. her daughter is already on record as respondent No.4-(b). He undertakes to file pursis to that effect. On filing such pursis, he is allowed to delete the name of respondent No.4-a Dewaibai.

2. Heard. The applicant is seeking condonation of delay of 685 days which is caused by his poor financial condition. The learned AGP as well as learned counsel for respondent No. 3 strongly opposed the application on the ground that not only there is a huge delay, but there is also delay in circulating the matter which appears to be filed

in the year 2017. The respondent No. 4-(b) though served, but remained absent.

3. However, considering the statutory right of the applicant and the reasons mentioned in the application, the delay of 685 days is hereby condoned subject to condition that the applicant shall not claim any interest for the period of aforesaid delay and also for the delay in taking late circulation. Accordingly, the application is disposed of.

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

(SANDIPKUMAR C. MORE)
JUDGE

.....

shp/-