

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 437 OF 2017
IN
FIRST APPEAL (ST.) NO. 12123 OF 2006**

The State of Maharashtra and ors. Applicants
v/s.
Kisan Bali @ Baliram Apune Respondent

Ms. Tanaya Goswami, AGP for the State.
Mr. Sameer A. Kumbhakoni for the Respondent.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 04th AUGUST, 2022.

P. C. :-

. By order dated 02/05/2011, the Applicant – State was directed to take steps to serve the Respondents by private service and file affidavit of service failing which the Appeal was to be dismissed for non prosecution. Failure to comply with the said conditional order resulted in dismissal of the Appeal for non prosecution.

2. By this Application, the State has sought to condone the delay of 150 days and restoration of the Appeal which was dismissal for non prosecution.

3. Learned counsel for the Respondent has no objection. In view of the said statement and in view of the reasons stated in the Application, the delay is condoned. Appeal along with Application for condonation of delay stands restored to file.

4. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)