

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

**INTERIM APPLICATION NO.334 OF 2022
IN
CRIMINAL APPEAL NO.1018 OF 2012**

Jagdish Jamdeo Gaikwad & Ors. Applicants

versus

State of Maharashtra Respondent

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- Mr. Vaibhav Gaikwad i/b. A. M. Kulkarni, Advocate for Applicants.
- Smt. J. S. Lohokare, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 05th AUGUST, 2022**

P.C. :

1. This is an application for bringing the legal heirs of the original document on record. There is a delay of 60 days in filing the application as well. Another prayer is for condonation of that delay.

2. The original Appellant was convicted by the learned Special Judge under the Prevention of Corruption Act, 1988 (PC

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Act) in Special Case No.19 of 2010 u/s 7, 13 (1)(d) r/w 13(2) of PC Act. The present Applicants are the wife, sons and daughter of the original Appellant. The Appellant expired on 29/04/2021 during pendency of the Appeal.

3. The Appeal is already admitted. It is mentioned in the application that the original Appellant was working as Chief Health Officer in Pimpri Chinchwad Municipal Corporation. Because of the pendency of the Appeal, the monetary benefits including pension, gratuity amount etc. are withheld. The Applicants are thus directly affected legal heirs. As far as delay is concerned, it is stated that they were not aware of their right to contest this Appeal after demise of the Appellant and therefore this delay is caused.

4. Considering both these grounds the application is allowed. The delay of 60 days in filing this Application is condoned. The application is allowed in terms of prayer clause (c). The Applicants are permitted to prosecute this Appeal and

amend the title clause. The Criminal Appeal No.1018 of 2012 be proceeded in due course.

5. Amendment shall be carried out within four weeks from today.
6. Interim Application is disposed of.

(SARANG V. KOTWAL, J.)