

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

**CIVIL APPLICATION NO.2995 OF 2018
IN
FIRST APPEAL (STAMP) NO.19812 OF 2018**

The State of Maharashtra and Anr. ...Applicants/Appellant

Versus

Rajaram Waman Chavan and Ors. ...Respondents

....

Mr. A.R. Patil, AGP for the Applicants-State.

Mr. Rahul Kasbekar i/b. Mr. Surel Shah for Respondent Nos.1 to 3.

CORAM : ANIL S. KILOR, J.

DATED: 24th JANUARY, 2022.

P.C.:-

1. This is an application for condonation of delay. Heard learned AGP for the Applicants-State and Mr. Kasbekar, learned counsel for the Respondents.

2. The learned AGP for the Applicants points out that there is delay of 238 days in filing first appeal. He has drawn attention of this Court to the reasons stated in Paragraph-3 onwards of the application and submits that sufficient cause has been shown by the Applicants in the application, for condonation of delay. It is submitted that the delay is not intentional but bonafide.

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3. Mr. Kasbekar, learned counsel for the Respondent Nos.1 to 3 has orally opposed the application. However, in absence of any reply, disputing the facts stated in the application at paragraph No.3 onwards of the application, I am of the view that the Applicants have shown sufficient cause in the application for condonation of delay.

4. After going through the application, more particularly, reasons stated in Paragraph-3 onwards, I am satisfied that sufficient cause has been shown in the application for condoning the delay. Accordingly, I pass the following order:

ORDER

i) The Application for condonation of delay is allowed.

ii) The delay caused in filing First Appeal is condoned.

The office is requested to register the First Appeal and place the same before the Court for admission.

(ANIL S. KILOR, J.)