

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

**CIVIL APPLICATION NO.4350 OF 2018
IN
FIRST APPEAL (STAMP) NO.25401 OF 2018**

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

Versus

Gajanan Mahadeo Warge ...Respondent

....

Mr. A.R. Patil, AGP for the Applicants.
Mr. Jayesh M. Joshi for the Respondent.

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. Jayesh Joshi, learned counsel for the Respondent.

2. The learned AGP for the Applicants points out that there is delay of 189 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 Applicant in the application, for condonation of delay. It is submitted that the delay is not intentional but bonafide.

3. On the other hand, Mr. Jayesh Joshi, learned counsel for the Respondent opposes the application and pray for dismissal of the same.

4. After going through the application, more particularly, the reasons stated in Paragraph-2 onwards, I am satisfied that sufficient cause has been shown in the application for condoning the delay. In this matter no reply has been filed by the Respondent opposing the present application or disputing the above referred facts. 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.)

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