

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

**28 CRIMINAL APPLICATION NO.902 OF 2020
IN APEAL/153/2005 WITH APEAL/153/2005**

**DIGAMBAR S/O. SHRINIVAS PATIL SINCE DECEASED THROUGH HIS WIFE
SHOBHA W/O. DIGAMBAR PATIL
VERSUS
THE STATE OF MAHARASHTRA**

Mr.R.S. Deshmukh, Sr. Advocate a/w. Mr.VA. Chavan h/f. Mr. D.R. Deshmukh,
Advocate for the applicant.

Mr.PM. Kulkarni, APP for the respondent/State.

**CORAM : KISHORE C. SANT, J.
DATED : 09.03.2023**

PC :-

01. Heard learned Advocate for the applicant. This is an application filed by widow of original appellant, who filed Criminal Appeal No.153 of 2005 in this Court. During the pendency of the appeal, the appellant unfortunately died. Since this is an appeal against conviction under the provisions of the Prevention of Corruption Act and if the appeal is allowed, the applicant will get service & pensionary benefits of the deceased husband. While filing this application, there is also delay of 9 days caused in filing the application.

02. Looking to the nature of the application and the reasons for the delay, this Court feels that case is made out to condone the delay. This Court also feels that application needs to be allowed by allowing the applicant to continue with Criminal Appeal No.153 of 2005.

03. Hence, the application is allowed in terms of prayer clauses (B) and (C).

04. The applicant to carry out necessary amendment in title clause of the appeal memo, within a period of two weeks from today.

[KISHORE C. SANT, J.]