

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

**CIVIL APPLICATION NO.17112 OF 2022 IN
FIRST APPEAL ST. NO.14873 OF 2011**

Laxman Dhansing Rathod & another Applicants

Versus

The State of Maharashtra & others Respondents

Mr. K. M. Nagarkar, advocate for the Applicants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 11th April, 2023.

PC :

Heard rival submissions.

The applicants-claimants are seeking condonation of delay of 24 days which appears to be caused due to their financial crisis.

The learned AGP strongly opposed the application on the ground that the delay is not properly explained and despite filing the First Appeal in 2011, it was dismissed due to careless approach of the appellants i.e. for not paying the requisite court fees.

However, considering the statutory right of the applicants, the delay of 24 days stands condoned subject to the condition that the applicants shall not claim any interest for the aforesaid period of delay and for the delay caused in restoring the appeal as well as application belatedly.

The appeal be placed for admission after removal of office objections, if any.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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