

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

**55 CIVIL APPLICATION NO. 13419 OF /2022
IN SAST/22614/2022**

**THE GOVERNMENT OF MAHARASHTRA THRO. ASSISTANT
DIRECTOR, DEPARTMENT OF ARCHAEOLOGY
VERSUS
JAYKUMAR BALAKRISHNADAS SHAH**

...
AGP for Applicant/State : Mr. S.B.Pulkundwar
Advocate for the Respondent : Mr. J.R.Shah
...

CORAM : KISHORE C. SANT, J.

DATE : 26.09.2023.

PER COURT :

1. This application is filed by the State for condonation of 114 days delay caused in filing the appeal, challenging the judgment passed by the appellate Court.

2. The learned AGP for the applicant/State submits that the applicant/State could not file an application in time because of Covid-19 pandemic situation and lock down that was imposed. It is further stated that the because of administrative exigencies and time spent for getting approval from the concerned authorities, the delay is caused. There is no intention to cause the delay.

3. The learned Advocate Mr. Shah respondent opposes the application stating that there is no sufficient reason mentioned about the delay. There is nothing on record to indicate that the authorities were in fact prevented from approaching the Court. However, for the reasons stated in the application, this Court finds that the delay needs to be condoned in the interest of justice. The delay of 114 days stands condoned. The Civil Application is allowed and disposed off.

4. The office to register the Second Appeal, if filed by the State.

**(KISHORE C. SANT)
JUDGE**

mahajansb/