

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

CRIMINAL APPLICATION NO.3713 OF 2023
IN APEALST/10269/2023

SHIVKUMAR SO VENKATRAO PATIL @ GOJEGAONKAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr. S. S. Gangakhedkar, Advocate for the applicants
Mr. S. P. Sonpawale, APP for the respondent/State
Mr. S. S. Varma, Advocate for the respondent No. 3 (appointed)

CORAM : R. M. JOSHI, J.

DATE : 4th NOVEMBER , 2023

P.C. :-

1. Learned APP submits that Smt. Varsha Bhutale is present. She claims that she is sister of respondent No.3 and his constituted attorney. She placed on record the photocopy of the power of attorney. The said document is taken on record and marked as 'X' for identification. She claims for legal aid.
2. Hence Mr. S. S. Varma, learned counsel is appointed to represent respondent No.3 in this proceeding.
3. According to counsel for applicants there is no deliberate delay on his part in preferring this appeal.
4. Learned counsel for the informant and learned APP vehemently

opposed the application. Interest of justice requires that the delay should be condoned but not without imposition of cost. Having regard to the nature of proceeding, the quantum of cost is fixed at Rs.5,000/- payable to respondent No. 3.

5. Applicants/appellants to deposit the cost before the Trial Court within a week. Trial Court to permit the respondent No.3 to withdraw the said amount after due verification. Application stands allowed.

(R. M. JOSHI, J.)

ssp