

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

**904 CRIMINAL APPLICATION NO.3973 OF 2023
IN APEAL/475/2006**

**SHRIDHAR NATHU KATE (DIED THROUGH L.RS) ANIL
SHRIDHARKATE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. G. P. Darandale h/f Mr. A.N. Kakade
APP for Respondent-State: Mr. R. D. Sanap
....

**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 03/11/2023.**

P. C. :

1. Heard.
2. Issue notice to respondent. Learned APP waives notice for respondent-State.
3. Heard rival submissions.
4. There is delay of only 3 days and therefore, it stands condoned. Further, it appears that the applicant wants to continue the appeal in view of retiral benefit of deceased appellant / accused. As such, the application stands allowed in terms prayer clause-B & C and disposed of.

(SANDIPKUMAR C. MORE, J.)