

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4432 OF 2022
IN
CRIMINAL APPEAL (ST) NO.21640 OF 2022**

Vishal Tanaji Chavan

.. Applicant/
Appellant

Versus

State of Maharashtra and anr

.. Respondents

...

Mr. Meghdeep Oak for the applicant.
Mr. S.R. Agarkar, APP for the State.

**CORAM: BHARATI DANGRE, J.
DATED : 26th OCTOBER, 2023**

P.C:-

Interim Application No. 4432 of 2022

1 The Interim Application is taken out seeking condonation of delay of 34 days in filing the appeal under Section 14-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, on being aggrieved by the order dated 3/08/2022, passed by the Special Judge Sangli, in Special Atrocity Case No. 11 of 2022, refusing to entertain the application filed under Section 439.

 Heard the counsel for the applicant and perused the application, which had disclosed the reasons for the delay and in paragraph no.6 a candid statement is made to the effect that the applicant was not aware about the limitation prescribed for filing

the appeal and hence the delay has occasioned.

Considering the reasons to be bonafide, I deem it appropriate to accept the same. As a consequence, the Interim Application is made absolute in terms of prayer clause (a) and stand disposed off.

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2 As far as, appeal is concerned, since it is informed that the respondent no.2, is provided assistance through Legal Aid but the counsel is unable to attend the proceedings and it is informed that Advocate Hemlata Waval, who was appointed as a counsel from Legal Aid panel has met with an accident and is presently unable.

In the wake of the aforesaid circumstance, I deem it appropriate to appoint Mr. Advait Tamhankar, to represent the respondent no.2.

Legal Services Authorities shall apprise Mr. Tamhankar, about his appointment.

Re-notify to 7/11/2023.

(SMT. BHARATI DANGRE, J.)