



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 15818 OF 2015
IN FAST/1802/2015

Suryakant Vithhal Ghadge

....Applicant

VERSUS

The State Of Maharashtra And Others

.....Respondent

.....

Mr. P. V. Barde h/f Mr. P. D. Sangwkar, Advocate for Applicant

Mr. S. V. Hange, AGP for Respondents

Mr. J. S. Kadam, Advocate for Respondent Nos. 3 and 4.

...

CORAM : R.M. JOSHI, J

DATE : JANUARY 10, 2024

PER COURT :

1. Perused application.
2. Learned Counsel for Applicant submits that Applicant is poor agriculturist. He further submits that owing to the financial condition, Applicant could not prefer Appeal within the period of limitation and hence, delay is sought to be condoned.
3. Learned AGP & learned Counsel for contesting Respondents opposed the application by contending that there is no sufficient ground made out for condonation of delay.
4. Perusal of the application shows that Applicant has assigned

specific reason for not preferring Appeal in time. This Court does not find any *mala fides* on the part of the Applicant in not approaching this Court in time. In any case, Applicant would not have gained anything by not approaching this Court in time.

5. In view of above, application stands allowed in terms of prayer clause 'A'. Delay of 560 days in preferring Appeal stands condoned. Appeal be registered. However, Applicants would not be entitled for any interest for this period, if succeed in Appeal.

(R. M. JOSHI, J.)

Malani