



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

CRIMINAL APPLICATION NO.1366 OF 2024
IN
CRIMINAL APPLICATION NO.3407 OF 2017

Bhausahab Limbaji Surwase

..Applicant

Versus

The State of Maharashtra and Others

..Respondents

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Shri. A. B. Lokhande h/f. Shri. G. K. Naik – Thigale, Advocate for the Applicant

Shri. S. D. Ghayal, Addl. P. P. for the Respondent / State

Shri. B. B. More & Shri. M. B. Ubale, Advocate for Respdt Nos.2 to 5.

Shri. N. B. Jadhav, Advocate for Respondent Nos.6 to 12

Shri. A.D. Ostwal, Advocate for Respondent Nos.13, 15 & 17

Shri. P. N. Mule, Advocate for Respondent No.14

Ms. Sharada P. Chate, Advocate for Respondent No.16.

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CORAM : R. G. AVACHAT AND
NEERAJ P. DHOTE, JJ.

Dated : NOVEMBER 12, 2024

PER COURT :-

. This is the Application for condonation of 662 days delay caused in filing the Criminal Application (No.3407 of 2017) for restoration of the Appeal.

2. Learned Advocate for the Applicant submits that due to COVID-19 period, he could not take steps to serve Respondent Nos.13 to 17 as their addresses were different and this Court by Order dated 30.11.2020 rejected his application. He submits that due to COVID-19 pandemic, the Applicant was unable to take the steps.

3. Issue notice to the Respondents. Learned Addl. P.P. waives notice for Respondent No.1 / State. Learned Advocate Shri. B. B. More & Shri. M. B. Ubale waive notice for Respondent Nos.2 to 5. Learned Advocate Shri. N. B. Jadhav waives notice for Respondent Nos.6 to 12. Learned Advocate Shri. A.D. Ostwal waives notice for Respondent Nos.13, 15 & 17. Learned Advocate Shri. P. N. Mule waives notice for Respondent No.14 and learned Advocate Ms. Sharada P. Chate waives notice for Respondent No.16.

4. It is not in dispute that the State has also filed the Application for Leave to Appeal and learned Advocates waived services for Respondent Nos.2 to 17, who are appearing in that Application. It is submitted that appropriate orders be passed.

5. We have gone through the Application. For the reasons stated in the Application, the Application is allowed in terms of prayer clauses 'B' and 'C'.

(NEERAJ P. DHOTE, J.)

(R. G. AVACHAT, J.)

GGP