



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 16275 OF 2022
IN
CIVIL APPLICATION NO. 11479 OF 2018
IN
FIRST APPEAL (ST) NO. 14672 OF 2012

Samb Shivling Wadkar
(Dead) Through its L.Rs.
Mahanandabai Sambappa Warkad and Others ..APPLICANTS

VERSUS

State of Maharashtra and Another ..RESPONDENTS

....
Mr. V.B. Patil, Advocate for applicants
Mr. S.J. Salgare, A.G.P. for respondent no.1 - State
....

CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ
DATE : 04th OCTOBER, 2024

PER COURT :

1. This is an application for condonation of 1757 days delay in preferring the application for bringing on record legal representatives of the sole deceased appellant. It is submitted by learned counsel for the applicant that sufficient reasons have been given in the application, and therefore, said delay be condoned and prayers made in the application be allowed.

2. Learned A.P.P. for Respondent No.1 – State submits that the delay is exorbitant, and therefore, the application be rejected.

3. None for Respondent No.2, though served.

4. We have gone through the application. For the reasons given in the application, we condone the aforesaid delay and allow the application in terms of prayer clauses [B], [B-1] and [C]. Amendment be carried out within two weeks.

5. The applicants shall not be entitled for the interest for the said delayed period. The applicants shall file an undertaking before Registrar (Judicial) of this Court in that regard.

(NEERAJ P. DHOTE, J.)

SSD

(R.G. AVACHAT, J.)