



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1381 OF 2020
IN FAST/37457/2019

Sakharam Bhika Aher And Anr

....Applicants

VERSUS

The State Of Maharashtra And Anr

....Respondents

....

Mr. N. J. Pahune Patil, Advocate for Applicants

Mr. S. V. Hange, AGP for Respondent No. 1

Mr. S. G. Sangle, Advocate for Respondent No. 2

...

CORAM : R.M. JOSHI, J

DATE : JANUARY 15, 2024

PER COURT :

1. Perused application.
2. Learned Counsel for Applicants submit that owing to the financial crisis, Applicants could not prefer Appeal within the period of limitation and hence, delay is sought to be condoned.
3. Learned AGP and learned Counsel for Respondent No. 2 opposed application by contending that there is no sufficient ground made out for condonation of delay.
4. Perusal of the application shows that Applicants have assigned specific reason for not

preferring Appeal in time. This Court does not find any *mala fides* on the part of the Applicants in not approaching this Court in time. In any case, Applicants 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 'B'. Delay of 2316 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