



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2202 OF 2025

IN

APPLICATION FOR LEAVE TO APPEAL BY PVT. PARTY (ST) NO.6230/2025

Rameshwar S/o. Pandharinath Bharadiya

VERSUS

Sheshrao Kamlakar Kulkarni

...

Mr. S. N. Lale Yelwatkar, Advocate for Applicant

Mr. C. S. Kulkarni, Advocate for Respondent

CORAM	: ABHAY S. WAGHWASE, J
RESERVED ON	: NOVEMBER 13, 2025
PRONOUNCED ON	: NOVEMBER 14, 2025

ORDER:

1. Instant application is filed for condonation of delay of 632 days caused in filing appeal against judgment and order passed by the learned Judicial Magistrate First Class, Latur.

2. Learned Advocate for applicant pointed out that after filing of the proceedings, there were some office objections but the same could not be taken note of and even Office did not instruct him for removing office objections. Subsequently, only on his visit, office objections were brought to notice, as such, there was delay in filing of the Appeal. That, delay is for above reasons and not for other reasons and, therefore, in the interest of justice and fair opportunity, delay so caused is sought to be condoned.

3. In answer to above, learned Advocate for the respondent refuted the above submissions by pointing out that the proceedings had already been numbered and CNR number was received in 18.06.2025 and previous to that, there was no application for condonation of delay. According to him, there is no justifiable cause nor there is any plausible explanation given for the delay and hence, he urges to reject the application.

4. For the reasons mentioned in application, more particularly, in paragraph no.3 and in the interest of justice and fair opportunity, delay so caused is required to be condoned. Hence, the following order is passed :-

ORDER

- (i) The application is allowed in terms of prayer clause “B”.
- (ii) Registry is directed to register the Appeal.
- (iii) In Appeal, issue notice to the respondents, returnable within eight weeks. Learned Advocate Mr. Kulkarni waives service of notice on behalf of respondent.

(ABHAY S. WAGHWASE, J.)