



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPLICATION (APPA) NO. 519/2020 IN
CRIMINAL APPEAL (ST) NO. 7790/2025
(State of Maharashtra Vs. Manohar Sitaram Ramteke & ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mrs. Mugdha Chandurkar, Advocate for State.
Mr. Harish Dangre, Advocate for respondent Nos. 10, 15 & 17.

CORAM: M. M. NERLIKAR, J.

DATED : 09/09/2025.

Heard.

2. The application is filed for condonation of delay of 237 days. Notices were issued long back, however except Mr. Dangre, learned counsel for respondent Nos. 9,14 and 16, none appears for the other respondents. Learned counsel for applicant submits that the delay caused in preferring the appeal is not intentional or deliberate. She submits that due to administrative difficulties and the matter was rotated from one office to another, the delay has been caused. The reasons set out in paragraph Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11 of the present application which are reproduced as under:-

“3. That, the Learned Addl. Session Judge, Akola passed order on 20.12.2019 and on 21.12.2019 the Appellant applied for certified copy of Judgment, which was delivered on 10.01.2020.

4. *It is further submitted that after receipt of the certified copy of Judgment, the same was marked to the Prosecutor, CBI, Nagpur on 13.01.2020 for his comment. After the comments of the Prosecutor and the Head of the Branch, CBI, Nagpur, the same were forwarded to CBI, Bhopal Zone on 13.02.2020, by recommending for filing of Appeal against the impugned order and judgment dated 20.12.2019 of Special Judge, CBI cases, Akola.*

5. *That the I/c Dy. Legal Advisor, CBI, Bhopal Zone, Bhopal offered his comments on 25.02.2020 and marked the file to the Joint Director, CBI Bhopal Zone for his comments.*

6. *The Joint Director, CBI, Bhopal Zone on 17.03.2020 offered his comments and forwarded the file to Additional Director, CBI, New Delhi. On 19.03.2020, Additional Director, CBI, New Delhi again forwarded the file to Directorate of Prosecution, CBI, HO, New Delhi to offer comment. On 23.04.2020, ALA (HQ), CBI, DOP New Delhi offered his comments and marked the file to the Directorate of Prosecution, CBI, New Delhi. On 27.04.2020, Directorate of Prosecution, CBI offered his comments and marked file to Additional Director, CBI.*

7. *It is further submitted that on 29.04.2020 Additional Director, CBI offered his comments and endorsed the commendation of ALA (HQ) to file an appeal against the judgment in the Hon'ble High Court and marked the file to*

Director, CBI for approval.

8. *The Director, CBI has given approval for filing of Appeal in this matter on 08.05.2020 and sent the file to Additional Director, CBI. On 13.05.2020 Additional Director, CBI, Bhopal Zone, which was sent to Head of Branch, CBI, ACB, Nagpur on 06.08.2020.*

9. *It is submitted that the final order from the competent authority was received by CBI, ACB, Nagpur on 10.08.2020 and a letter dated 13.08.2020 was forwarded to Under Secretary (V.II-B), DOPT, North Block, New Delhi along with enclosures requesting for permission to file the appeal before the Hon'ble Bombay High Court, Nagpur Bench.*

10. *And the Under Secretary (V-II B), Ministry of Personnel, Public Grievances and Pensions, Department of Personnel & Training, AVD_II(B), New Delhi vide letter dated 08.10.2020 has given the approval to CBI to file appeal against the order dated 20.12.2019 of Hon'ble Special Judge, CBI Cases, Akola before the Hon'ble Bombay High Court, Nagpur Bench. This approval was addressed to Head of Branch, CBI, ACB, Nagpur, which was received in CBI, ACB, Nagpur office on 19.10.2020.*

11. *On 26.11.2020, the Draft Appeal was sent to Head of Zone, Bhopal Zone, CBI, for approval and same was approved on 01.12.2020."*

3. She further submits that the delay has been caused due to aforesaid reasons. The applicant has shown sufficient cause to condone the delay. However, on the contrary, Mr. Harish Dangre, learned counsel appearing for respondent Nos. 10, 15 and 17 submits that there is no sufficient cause shown in application in order to condone the delay. He submits that mere rotating the file from one office to another is not sufficient and therefore, he prayed to reject the application. He further submits that there is no documentary evidence in order to support the contents of application.

4. I have given my thoughtful consideration to the rival submissions.

5. There is no dispute that delay of 237 days has been caused in filing the appeal, however, as the sufficient cause shown in the above referred paragraphs would show that the delay has been explained properly. In this view of the matter and for the reasons set out in the application, I am of the opinion that the delay of 237 days in preferring the appeal deserves to be condoned, hence following order:-

(I) Delay of 237 days caused in preferring the appeal is hereby condoned.

(II) Office is directed to register the appeal and list the matter for admission.

6. Application stands disposed of in above terms.

(M. M. NERLIKAR, J.)