

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION**

INTERIM APPLICATION NO. 3813 OF 2021

IN

FIRST APPEAL (ST) NO. 21485 OF 2021

WITH

FIRST APPEAL (ST) NO. 21485 OF 2021

Shri Vasant Dattoba Jadhav and Ors.

... Applicants

Vs.

Shri Prashant Subhash Mane and Anr.

... Respondents

.....

Mr. Santosh D. Bhosale (through VC) a/w Amol S. Deshinge for the Applicants

Mr. Abhang M. Suryawanshi i/b Pandit Kasar for Respondent No.2.

.....

CORAM : SHAILESH P BRAHME, J.

DATE : 7th SEPTEMBER, 2026.

P. C. :

I.A.NO. 3813 OF 2021

. Heard.

2. The applicant seeks to condone the delay of 2 years and 9 days in preferring the appeal.

3. The respondent no.1 is served but no appearance has been caused. Learned counsel for the respondent no.2 raises objection for condonation of delay.

4. The contents of the application have not been controverted by the

respondent. No *mala fides* can be inferred on the part of the applicants in preferring the appeal belatedly. It is desirable to deal with the merits of the matter by condoning the delay.

5. It is submitted that the applicants are from a poor strata and residents of a remote place and were unable to approach the High Court at the Principal Seat. Learned counsel prays for adopting a lenient approach for imposing the condition.

6. The Application is allowed. The delay stands condoned on the condition that applicants shall not be entitled to interest for a period of eight months, if they succeed in appeal.

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7. Admit.

8. Call for record and proceedings.

9. Print is dispensed with.

10. The parties shall be at liberty to supply the private book.

11. The appellant shall not be entitled to interest for a period of eight months in case they succeed in the appeal.

(SHAILESH P. BRAHME, J.)