

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2018 OF 2014
IN SAST/4010/2014

USHA PRAMOD GAIKWAD AND ANOTHER
VERSUS
YOHAN SAKHARAM GAIKWAD AND OTHERS

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Advocate for Applicants : Shri R.R.Karpe h/f Shri S.S.Deshmukh
Advocate for Respondents R/1,2 & 3(a) : Shri Garud N.C.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: March 30, 2015
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PER COURT :-

1. The applicant prays for condonation of 340 days' delay in filing the Second Appeal.
2. Reasons are set out in paragraph Nos.4 to 12. It is submitted that the delay is not intentional nor deliberate.
3. Shri Garud, learned Advocate appears on behalf of respondents 1,2 & 3(a). He vehemently opposes the application on the ground that the reasons narrated do not justify the delay and therefore, do not support the request for condonation of delay.
4. In the light of the above, the delay of 340 days deserves to be condoned. Civil Application is, therefore, allowed. The applicants shall deposit an amount of Rs.5,000/- in this Court within a period of four weeks. Respondents 1,2 & 3 (a) shall withdraw the costs in equal shares. I am depriving respondent 3(b) of the costs, since she has chosen to remain absent, though served.
5. Upon depositing the costs, the Second Appeal be registered.

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6. Needless to state, if this order is not complied with, the Civil Application shall stand rejected by recalling this order.

(RAVINDRA V. GHUGE, J.)
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