

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5527 OF 2013
IN SA/285/1999

DNYANOBA DHONDIRAM DIED LRS AND OTHERS
VERSUS
HARIRAM GANGARAM MARE

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Advocate for Applicants : Shri S.C.Swami h/f Shri V. D. Gunale
Advocate for Respondent : Shri Ajinkya Deshmukh
h/f Shri V.D. Hon, Sr. Advocate

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CORAM : RAVINDRA V. GHUGE, J.
Dated: April 20, 2015
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PER COURT :-

1. Sole appellant has passed away.
2. Second Appeal has been admitted by order dated 4.9.2002, after framing a substantial question of law. The appeal has abated.
3. This application suffers from delay of 848 days.
4. Learned Advocate for the respondents submits that the delay is explained in the application. Delay is not caused intentionally or deliberately.
5. Learned Advocate for the respondent has opposed the application on the ground that the reasons cited are not satisfactory and do not support the prayers made in the application.
6. In the light of the reasons set out and the fact that the Second Appeal has been admitted, this application is allowed Delay of 848 days is condoned subject to costs of Rs.1500/-.

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7. Learned Advocate for the respondents graciously submits that the said amount be donated to the Advocate Association's Bar Library, High Court, Bench at Aurangabad. The applicants to deposit the said amount with the Advocate Association's Bar Library, High Court, Bench at Aurangabad within six weeks from today. Order of abatement is set aside. Within two weeks from the date of deposit of the amount, the L.Rs. be brought on record.

8. In the event, the above directions are not complied with, this order shall stand recalled and the order of the Registrar (Judicial), subject matter of this Civil Application, shall stand restored.

(RAVINDRA V. GHUGE, J.)

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