

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

CIVIL APPLICATION NO.6408 OF 2013  
IN  
SECOND APPEAL STAMP NO.11663 OF 2013

YEDBA KRISHNA PARIT

APPLICANT

VERSUS

PANDURANG BHIMRAO @ BHIVA RAUT (PARIT)  
AND OTHERS

RESPONDENTS

Mr.E.S.Murge, Advocate for the applicant.  
Mr.S.M.Kulkarni, Advocate for respondent No.1.

( CORAM : RAVINDRA V. GHUGE, J.)

DATE : 18/03/2015

PER COURT :

1. The applicant prays for condonation of delay of 114 days in lodging the second appeal. Reasons for seeking condonation are set out in paragraph Nos.3, 4 and 5.

2. Mr.S.M.Kulkarni, learned Advocate appearing on behalf of respondent No.1 prays for rejection of the application for the reason that the circumstances narrated do not justify condonation of delay.

3. Respondent Nos.2 to 6 are absent and have not entered an appearance despite having been served.

4. I do not find any laches attributable to the applicant in having delayedly lodged the second appeal. The applicant is said to be a labourer who has no income and his livelihood depends upon labour work as and when it is available.

5. For the reasons set out in the application, this civil application is allowed. Delay of 114 days is condoned subject to the applicant depositing an amount of Rs.1,000/- (Rs.One thousand only).

6. Mr.Kulkarni, learned advocate graciously submits that the said amount be deposited with the Advocates' Bar Library, High Court, Bench at Aurangabad.

7. As such the applicant shall deposit an amount of Rs.1,000/- (Rs.One thousand only) with the Advocates' Bar Library, High Court, Bench at Aurangabad, within a period of 3 (three) weeks from today, pursuant to which the second appeal be registered. In the event the said amount is not deposited, this order shall stand recalled and the civil application shall stand rejected.

( RAVINDRA V. GHUGE, J.)