

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 7250 OF 2014
IN SA(ST)/18744/2014
MADHAV BHAUSAHEB LAMKHEDE
VERSUS
NARAYAN KISAN GAIKWAD AND OTHERS

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Advocate for Applicant : Shri Amol K. Gawali
Advocate for Respondents 1 to 3 : Smt. Sayali Nyayadhis
h/f Shri P.P.Dowalkar

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

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PER COURT :-

1. By this application, the applicant prays for condonation of 123 days delay in filing the Second Appeal. Reasons in support of the prayer are set out in paragraph Nos. 2 to 7. It is contended that the delay is neither deliberate nor intentional.
2. Learned Advocate appearing for respondents 1 to 3 opposes the application. Contention is that the reasons cited are not acceptable and do not support the prayer for condonation of delay. The application, therefore, be rejected.
3. Considering the above, this application is allowed. Delay of 123 days caused in lodging the Second Appeal is condoned, subject to the applicant, paying costs of Rs.500/- each to respondents 1 to 3, by depositing the said amount in this Court within four weeks from today. Thereafter, the Second Appeal be registered and respondent Nos.1 to 3 can withdraw the amounts in equal share. I am not awarding costs in favour of respondents 4 to 11, since they have chosen to remain absent, despite of Court notice.
4. 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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