

IN THE HIGH COURT OF JUDICATURE OF BOMBAY,
BENCH AT AURANGABAD

**CIVIL APPLICATION NO. 10425 OF 2013
IN
SECOND APPEAL (ST) NO. 20059 OF 2013**

Raghunath S/o Bhanudas Ghule ... Applicant

Versus

Kondiba S/o Bapu Ghule ... Respondent

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Mr. K.B. Jadhavar , Advocate for Applicant

Mr. M.A. Deshmukh, Advocate holding for

Mr. S.G. Chapalgaonkar, Advocate for respondent

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 19th MARCH, 2015

PER COURT :

1. Heard.
2. By the present application, delay of (345) days, occurred in filing the appeal has been sought to be condoned.
3. Learned Advocate for the respondent opposes the application on the ground that the reasons cited do not support the request for seeking condonation of delay.
4. I find that the delay has been properly explained in the civil application. It is not intentional. There are no laches on the part

of the applicant. These proceedings are vital to the litigating sides since it is the only remedy available.

5. Taking into account the circumstances as noted above, this Civil Application is allowed. Delay stands condoned, subject to the applicant's depositing costs of Rs. 5,000/- within four weeks from today in this Court. After depositing the costs, the Second Appeal be registered.

6. The respondent is at liberty to withdraw the said amount.

7. Needless to state, in the event of non-compliance, this order shall stand recalled and the Civil Application shall stand rejected.

(**RAVINDRA V. GHUGE, J.**)