

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

**CIVIL APPLICATION NO. 745 OF 2015
IN
SECOND APPEAL (ST.) NO. 31892 OF 2013**

Bhaskar s/o Vyankat Ghuge & anr. ...Applicants

versus

Surekha w/o Dattatraya Karad & ors. ...Respondents

.....
Mr. Prashant K. Deshmukh, Advocate for applicants.
Mr. S. S. Choudhari, Advocate for respondent No. 1.
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CORAM : N.W. SAMBRE, J.

DATE : 25th JUNE, 2015

ORAL ORDER :

This is an application for condonation of 188 days delay caused in preferring the second appeal.

2. The applicants are original defendants, who suffered the order of dismissal in Regular Civil Appeal No. 272 of 2007 on 11/02/2013. The Principle District Judge, Osmanabad while dismissing the appeal has also decided another appeal being Regular Civil Appeal No. 273 of 2007, against which already Second Appeal No. 677 of 2013 is preferred, which is within time.

3. In the application, the cause cited for delay is illiteracy and financial difficulty.

4. In my opinion, the cause cited for delay establishes the basis for condonation of delay. The prayer for condonation of delay, in my opinion, as such, is required to be granted. The delay of 188 days stands condoned having regard to the cause cited in the application and in the interest of justice. The civil application is allowed.

[N.W. SAMBRE, J.]