

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.1704 OF 2013
IN
SECOND APPEAL STAMP NO.33751 OF 2012

SHARAD VITTHALDAS BARSHIKAR

APPLICANT

VERSUS

RANCHODDAS VITTHALDAS SHAH AND
OTHERS

RESPONDENTS

Mr.R.P.Bhumkar h/f Mr.P.S.Pawar, Advocate for the applicant.
Mr.A.P.Bhandari, Advocate for respondent Nos. 1 and 2.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 18/03/2015

PER COURT :

1. The applicant, by this application, prays for condonation of delay of 74 days in lodging the second appeal.
2. Mr.Bhandari, learned Advocate appearing on behalf of the respondents vehemently opposes the civil application contending that justifiable reasons have not been set out and as such delay cannot be condoned merely on account of sympathy.
3. Having considered the submissions of the learned Advocates and for the reasons set out in the civil application, the same is

allowed. Delay of 74 days in lodging the second appeal is condoned subject to the applicant paying costs of Rs.4,000/- (Rs.Four thousand only). Mr.Bhandari, learned Advocate graciously submits that the said amount of costs be donated to the Advocates' Bar Library, High Court, Bench at Aurangabad.

4. As such, the applicant shall deposit costs of Rs.4,000/- (Rs. Four thousand only) with the Advocates' Bar Library, High Court, Bench at Aurangabad within a period of 3 (three) weeks from today, failing which this order shall stand recalled and this civil application shall stand dismissed. Upon depositing the costs as ordered, the second appeal be registered.

(RAVINDRA V. GHUGE, J.)