

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4793 OF 2009
IN
FIRST APPEAL (ST.) NO.29226 OF 2009
WITH
CIVIL APPLICATION NO.4794 OF 2009

Hindurao Shankarrao Jadhav ... Appellant
vs.
Sunil Parashuram Jadhav
and Others ... Respondents

Mr. V.A. Shastry, for the Appellant.
Mr. S.D. Patil, for the Respondent No. 1 & 2.
Mr. A.R. Patil, AGP for Respondent No. 17.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **AUGUST 21, 2015**

P.C.:

. The application is moved for condonation of delay of 191 days for filing First Appeal. The learned counsel for the Respondent Nos. 1 and 2 are present. The other Respondents though served are not present. The learned counsel for the Appellant submits that in the similar matter, the delay of 193 days was condoned by the High Court by its order dated 21st September, 2013 in Civil

Application No. 4780 of 2009 in First Appeal (ST) No. 296 of 2009. He further submitted that the learned Advocate to whom the Appeal were entrusted, he met with an accident in May, 2009 and he was admitted in the hospital for nearly one month and thereafter, he lost his father and so there is delay in filing the Appeal.

2. The learned counsel for Respondent Nos. 1 and 2 opposes the application.

3. Perused the application. In view of the reasons mentioned in the application in para 9 and in view of the submissions made by the learned counsel for the Appellant, the application is allowed.

4. The Appeal No. 1484 of 2013 is to be clubbed with the present Appeal. Stand over to 4th September, 2015.

(MRS.MRIDULA BHATKAR, J.)