

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

932 CIVIL APPLICATION NO. 6151 OF 2016
IN FAST/12857/2016

M/S. SIDDHESHWAR CONSTRUCTIONS, REGISTERED
PARTNERSHIP FIRM THR ITS PARTNER SATIS
VERSUS
THE PUBLIC WORKS DEPARTMENT, STATE OF MAHARASHTRA
THRSECRETARY THE PUBLIC WORKS

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Advocate for Applicant : Mr. Gawali Amol K.
AGP for Respondents 1 to 4 : Mr. S. P. Deshmukh

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CORAM : P.R. BORA, J.
Dated: September 01, 2016

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PER COURT :-

Heard.

2. Delay of 890 days has occurred in filing the present appeal by the original plaintiff against the judgment passed in Special Civil Suit No.545 of 2010 decided by Civil Judge Senior Division at Aurangabad.

3. Learned counsel for the applicant submits that for lack of resources even for arranging the Court fees, the appellant could not file the present appeal within the stipulated period of limitation.

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4. Learned A.G.P. has opposed for condoning the delay, stating that the reason, as assigned is insufficient to condone the delay.

5. On perusal of the application, it is revealed that the appellant/applicant has sufficiently explained the delay. I am, therefore, inclined to allow the application. Hence, the following order :-

6. The Application is allowed. Delay in filing the appeal is condoned. Appeal be registered as per due procedure of law.

7. Notice to the respondents. Learned A.G.P. waives notice for respondent nos.1 to 4. Service is complete.

8. Place the matter for admission after four (4) weeks.

(P.R. BORA, J.)

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