

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

**CIVIL APPLICATION NO. 10830 OF 2016
IN
SECOND APPEAL ST. NO. 22840 OF 2016**

Mannibai Kanha Gavali
Died through LRS Chhotu & Anr. ...Applicants

Versus

Laxmibai Fazal Gavali ...Respondent

.....
Mr S. V. Natu, Advocate for applicants
Mr S. S. Patil, Advocate for respondent
.....

**CORAM : S. P. DESHMUKH, J.
DATE : 2ND DECEMBER, 2016.**

PER COURT:

1. Heard learned counsel for the parties.
2. Learned counsel for the applicants submits that, due to lack of knowledge of impugned judgment passed by the District Court, primarily the delay has been caused since they became aware only when they received the notice of execution proceedings.
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3. Learned counsel for respondent opposed the application stating that the reasons given in the application do not appear to be

sufficient, however, is not in a position to challenge the veracity of the submissions on behalf of the applicant.

4. The delay is of 111 days. In the circumstances, I deem it appropriate to condone the delay.

5. Accordingly, Civil Application stands granted in terms of prayer clause 'A' and is disposed of.

[S. P. DESHMUKH]
JUDGE