

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

**CIVIL APPLICATION NO. 3178 OF 2016
IN
SECOND APPEAL STAMP NO. 6026 OF 2016**

Manmath Lingappa Kore

..... APPLICANT

V E R S U S

Sanmukhappa s/o Pirappa Sanmukh **..... RESPONDENT**

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Mr. Akshay Kulkarni h/f Anjali Dube (Bajpai),
Advocate for applicants.

Mr. R.P.Adgaonkar h/f Mr.Dhananjay Deshpande,
Advocate for respondent.

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CORAM : SUNIL P. DESHMUKH, J.

DATE : 10th FEBRUARY, 2017

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ORDER :

1. Heard learned counsel for the parties.
2. Learned counsel for the applicant refers to contents of para No. 9 of the Civil Application and submits

that delay has been caused due to the circumstances mentioned therein. Learned counsel for the respondent purports to resist the application, however is not in a position to seriously challenge the veracity of contents of the Civil Application and the submissions of learned counsel for the applicant. The delay of 135 days does not appear to be inordinate. As such, it would be expedient and in the interest of justice to allow the application.

3. In view of aforesaid, Civil Application is allowed in terms of prayer clause 'B' and is disposed of.

[SUNIL P. DESHMUKH, J.]