

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

925 CIVIL APPLICATION NO. 3447 OF 2012  
IN FAST/6721/2012

POPAT BABURAO SHINDE  
VERSUS  
HARIBHAU SAKHARAM BANKAR, DIED THR. L.RS. SUMANBAI AND ORS

...  
Advocate for Applicant : Mr. P.V. Barde  
Adv. for Respondents: Mr. S.S. Chapalgaonkar

**CORAM : K.K. SONAWANE, J.**

**DATE : 15<sup>th</sup> September, 2017.**

**PER COURT:**

1] Heard learned counsel for the applicant and learned counsel for the respondent. It has been contended that the delay caused in filing the first appeal is not intentional and deliberate but due to unavoidable circumstances. Hence, learned counsel for applicant requested to condone the delay.

2] The learned counsel for the respondent fairly conceded that he has no objection to condone the delay in the interest of justice.

3] In view of the no objection, as well as for the reasons mentioned in the application, I do not find any impediment to condone the delay. Accordingly, the application stands allowed in terms of prayer clause (B). Delay caused to prefer the first appeal is hereby condoned. Registry to take requisite steps for further process.

**[K.K. SONAWANE]  
JUDGE.**

grt/-