

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.10814 OF 2015
(Shobha Kashinath Salve and others Vs. Parvatibai Narayan Salve
and others)

IN
SECOND APPEAL STAMP NO.7720 OF 2015

Mr.D.A.Mane h/f Mr.Milind Patil, Advocate for the applicants.
Mr.V.B.Patil, Advocate for respondent Nos. 1 to 6.

CORAM : RAVINDRA V. GHUGE, J.)

DATE : 15/12/2017

PER COURT :

1. The applicants pray for condonation of delay of 330 days caused in filing of the second appeal.

2. Learned Advocate for the respondents has strenuously opposed the application and prays for its dismissal with costs. In the alternative, it is submitted that if costs are imposed and if this Court favourably considers the application, the said amount be donated to The High Court Legal Services Authority, Sub Committee, Aurangabad.

3. Considering the above and keeping in view that the second appeal is the only available opportunity for the appellants to seek

redressal of their grievance and keeping in view that the delay caused can neither be termed as being intentional nor inordinate, this civil application is allowed. The delay is condoned subject to costs of Rs.4,000/- to be deposited by the appellants in the The High Court Legal Services Authority, Sub Committee, Aurangabad on or before 12/01/2018, failing which, this order shall stand recalled w.e.f. 15/01/2018 and the civil application shall stand rejected.

(RAVINDRA V. GHUGE, J.)