

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

12 CIVIL APPLICATION NO. 8918 OF 2016
IN FAST/8198/2016

SUBHASH UKHA PATIL AND ANR
VERSUS
DATTATRAYA TULSHIRAM PATIL AND ORS

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Advocate for Applicants : Kulkarni Mukul S.
Advocate for Respondents : Choudhari Abhijit G for Resp 3
Deshmukh Anand I. and Kutti Choudhary Chaitali

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CORAM : V.K. JADHAV, J.
DATE : 17-02-2017.

P.C. :

1. Heard the learned counsel for the applicants and the counsel appearing for respondent nos. 1 and 2. None present for respondent no.3. The applicants were dependent on the income of deceased son who met with an accidental death. Thus, due to financial constraints the appeal could not be preferred within the period of limitation. The counsel appearing for the respondents has strongly resisted the application.

2. In view of the above submissions of the applicants and for the reasons stated in the civil application, delay of 260 days caused in filing the first appeal is hereby condoned. Civil application is allowed and accordingly disposed of.

3. Heard. Issue notice to the respondents, returnable on 17.03.2017. Learned counsel Shri Anand Deshmukh, waives for

respondent no.1 and learned counsel Chaitali Choudhari Kutti,
waives for respondent no.2. Call for record and proceedings.

(V.K. JADHAV)
JUDGE

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