

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

44 CIVIL APPLICATION NO. 7618 OF 2015
IN FAST/8608/2011

MANGALBAI NANDKUMAR KANCHARLAWAR AND OTHERS
VERSUS
SK PASHA SHAIKH FAREED AND ANOTHER

...
Advocate for Applicants : Mr. Govind G. Suryawanshi.
Advocate for Respondent No.1 : Mr. H. I. Pathan.
...

CORAM : **V. K. JADHAV, J.**
DATE : 10th April, 2017.

P.C.:

. The learned counsel for the Applicants submits that the breadwinner of the family met with an accidental death and due to financial constraint, the Applicants could not file the appeal within the period of limitation.

2 The learned counsel for Respondent No.1 has strongly resisted the application on the ground that the delay has not been explained satisfactorily.

3 Though Respondent No.2 duly served, none appears for Respondent No.2.

4 In view of the submissions made on behalf of the Applicants and for the reasons stated in the application, the delay of

185 days caused in filing the appeal is hereby condoned. Civil application is allowed and accordingly disposed of.

5 In appeal, heard. Issue notice to the Respondents, returnable on 15th June, 2017. The learned counsel appearing for Respondent No.1/ owner waives the service of notice. Record and proceedings be called for.

[V. K. JADHAV, J.]

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