

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

922 CIVIL APPLICATION NO. 12995 OF 2016 IN SAST/9544/2016

DASHRATH RAMBHAU KOLEKAR
VERSUS
BALIRAM TATYABA WAGRE AND ANOTHER

...
Advocate for Applicant : Mr Salunke Sudarshan J
Advocate for Respondents : Mr Deshmukh Abhay G.

...
CORAM : V.K. JADHAV, J.
Dated: December 15, 2017

...

PER COURT :-

1. Learned counsel for respondent/original plaintiff submits reply to the application seeking condonation of delay. Same is taken on record.
2. Learned counsel for the applicant/original plaintiff submits that, though First Appellate Court has decided the pending appeal by judgment and order dated 27.2.2015, the applicant came to know on 20.12.2015. Further time was spent in obtaining certified copies of the judgment on urgent basis and as such delay caused in filing the appeal. Learned counsel submits that, delay in filing this appeal is not deliberate or intentional one.
3. Learned counsel for respondent/original defendant has strongly resisted the application on the ground that, delay has not been explained satisfactorily.
4. In view of the submissions made on behalf of the applicant and for the reasons stated in the application, application is allowed in terms of prayer clause B. Civil application accordingly disposed of.

(V.K. JADHAV, J.)

...