

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

**CIVIL APPLICATION NO. 7793 OF 2017
IN FAST/16835/2017**

HIRABAI RAGHUNATH TADE (BARI) AND ORS
VERSUS
SHOBHA RAMBHAU BAGUL AND ANR

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Advocate for Applicants : Mr. Bhokarikar Madhav M
Mr. Mundada Vinodkumar R. , Adv. For R/2
Mr.S.V. Bhosale, Adv. For R/1

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CORAM : K.L.WADANE, J.

DATED : 8th September, 2017

O R D E R :

This is an application filed by the appellants for condonation of delay of 43 days caused in filing First Appeal.

2. Heard learned counsel for the applicants/appellants as well as learned counsel for respondent nos. 1 and 2.

3. Delay is sought to be condoned on the grounds that the applicant is poor having no source of income to pay the expenses of the appeal. The applicant was unable to arrange the amount within the required time. Secondly due to the death of earning member of the family, the

family of the applicant is facing difficulty in day-to-day problem. In that process, delay has been caused.

4. For the reasons stated in the application, delay is properly explained. Therefore, same stands condoned.

5. Civil Application is disposed of.

6. In First Appeal, issue notice to the respondents, returnable on 6.10.2017.

7. Call for R. and Ps.

8. Mr. S.V.Bhosale, learned counsel waive service of notice for respondent no. 1 and Mr. V.R.Mundada, learned counsel waive service of notice for respondent no.2.

(K.L.WADANE, J.)

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