

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

16 CIVIL APPLICATION NO. 12926 OF 2016  
IN FAST/26914/2016

SHOBHABAI BALAJI ILEGAVE AND ANR  
VERSUS  
SK. ATEEQ RAHEMAN ABDUL RAHEMAN AND ANR

...  
Advocate for Applicants : S.v. Suryawanshi  
Advocate for Respondents : V.N. Patil

...

**CORAM : V.K. JADHAV, J.**  
**DATE : 10-02-2017.**

**P.C. :**

1. Heard the learned counsel for the applicants and learned counsel for the respondent no.1. None present for respondent no.2. The learned counsel for the applicants submits that due to financial crunch the appeal could not be filed within limitation. The learned counsel for the respondent no.1 strongly resisted the application on the ground that the delay has not been explained satisfactorily. In view of the submissions made on behalf of the applicants and for the reasons stated in the application, delay of 419 days caused in filing the first appeal is hereby condoned. Civil application is allowed and accordingly disposed of.

2. Heard. Issue notice to the respondents, returnable on 24.03.2017. Learned counsel Shri V.N. Patil, waives for respondent no.1. Call for record and proceedings.

**(V.K. JADHAV)**  
**JUDGE**