

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

978 CIVIL APPLICATION NO. 16787 OF 2015
IN FAST/28791/2014

SHANTABAI RAMESH SALVE AND ANOTHER
VERSUS
ASHOK KISHANRAO KHARAT AND ANOTHER

...
Advocate for Applicants : Mr U N Mhaske h/f S B Ghatol Patil
Advocate for Respondents : Mr S R Bodade

...
WITH
CA/16788/2015 IN FAST/27947/2014

...
CORAM : V.K. JADHAV, J.
Dated: February 24, 2017

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PER COURT :-

1. Heard both sides.
2. The learned counsel for the applicant in both the civil applications submits that due to financial constraints the applicants could not prefer the appeal within a period of limitation and therefore, the delay is caused in filing first appeal.
3. Counsel appearing for respondent 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 applicants and for the reasons stated in the applications, applications are allowed and delay caused in filing the appeals is hereby condoned. Civil applications are allowed and accordingly disposed of.
5. In appeals, issue notice to the respondents, returnable on 7.4.2017. Learned counsel appearing for respective respondent nos.1 and 2 waives notice.
6. Call record and proceeding.

(V.K. JADHAV, J.)

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aaa/-