

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

CIVIL APPLICATION NO. 13583 OF 2013

IN

FIRST APPEAL ST. NO. 29521 OF 2013

Murlidhar s/o Bhivsan Narkhede ... Applicant

VERSUS

Mrs. Rajani w/o Murlidhar
Narkhede ... Respondent

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Mr. S.S.Kulkarni, advocate for the applicant

Mr. S.B.Deshpande, adv. for respondent

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CORAM : K.L.WADANE, J.

DATED : 7th AUGUST, 2017

O R D E R :

Heard learned counsel for both sides.

2. This is an application for condonation of delay of 4 years 6 months and 22 days caused in filing First Appeal against the judgment and decree passed by the District Judge-4, Jalna in Hindu Marriage Petition No. 85 of 2008 on 17.2.2009. The ground stated in the application is that before some days of passing the order, he retired from service and he was engaged in getting his pension. Hence, he was in serious problem.

Therefore, he could not file the appeal within time. For the reasons stated in the application, delay can be condoned by imposing certain costs.

3. Hence, the application is allowed. Delay caused in filing First Appeal is condoned, subject to costs of Rs.5,000/- to be paid to the respondent within a period of eight days from today.

4. If costs are paid within the stipulated time, the First Appeal be registered.

5. Civil Application is disposed of.

(K.L.WADANE, J.)

dbm