

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 14310 OF 2016
IN FAST/29844/2016

AVANTIBAI SUBHASH BARI ANDANR
VERSUS
VILAS YASHVANT NEMADE AND NR

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Advocate for Applicants : Mr. Bhokarikar Madhav M
Advocate for Respondent No.1 : Mr. D.B. Thoke
Advocate for Respondent No.2 : Miss. Snehal Totla h/f Mr. R.F. Totla

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CORAM : V. K. JADHAV, J.
DATED : 3rd FEBRUARY, 2017

PER COURT:-

1. Heard both sides. Learned counsel for the applicants submits that applicant No.1 is widow and applicant No.2 is still taking education and due to financial constraints, the appeal could not be preferred within time. Learned counsel appearing for respective respondents strongly resisted the application.

2. In view of above and for the reasons stated in the civil application, I am satisfied that the delay is satisfactorily explained. Thus, delay occurred in preferring first appeal is hereby condoned. Civil application is allowed and disposed of.

3. In first appeal, issue notice to the respondents, returnable on 30.03.2017. Learned counsel waive notice for respective respondents. Call for record and proceedings.

(V. K. JADHAV, J.)