

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

910 CA/13934/2016 IN FAST/30325/2016

DASHRATH RANGNATH GADHAVE
VERSUS
MALAN RAMDAS KANDE AND ORS.

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Advocate for Appellants : Mr S V Deshmukh
Advocate for Respondents : Mr A S More,
V. R. Mundada For R/2.

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CORAM : V.K. JADHAV, J.
Dated: January 05, 2017

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PER COURT :-

1. Heard both sides.
2. The applicant owner has moved this application for condonation of delay of 1108 days caused in preferring the first appeal.
3. Learned counsel for the applicant submits that, being aggrieved by the same judgment and award the original claimants have preferred first appeal No.3473/2016 alongwith an application for condonation of delay and their application for condonation of delay came to be allowed by this Court. Learned counsel submits that, the applicant owner could not prefer the appeal within time due to some financial constraints.
4. Learned counsel for respondents has no objection if the delay is condoned.
5. In view of the above submissions and for the reasons stated in the application, delay of 1108 days caused in preferring the appeal is hereby condoned.
6. Civil application accordingly disposed of.

(V.K. JADHAV, J.)

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