

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

74 CIVIL APPLICATION NO. 15105 OF 2015
IN AOST/33188/2015
WITH
AOST 33188/2015

TUKARAM NIVRUTTI GARAD
VERSUS
SHANKAR DNYANOBA INGOLE AND OTHERS

...
Advocate for Applicant : Mr Patil Indrale Anand V.
Advocate for respondent no.10 : Mr.S C Swami h/f Mr V D Gunale

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CORAM : V.K. JADHAV, J.
Dated: January 10, 2017
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PER COURT :-

1. Heard learned counsel for the applicant and learned counsel for respondent no.10.
2. Learned counsel for applicant submits that the applicants are poor agriculturist and due to paucity of funds, the appeal could not be preferred within limitation.
3. Learned counsel for respondent no.10 has strongly resisted the application.
4. In view of the submissions made on behalf of the applicant and for the reasons stated in the application, delay of 209 days caused in filing the appeal is hereby condoned. Civil application for delay accordingly disposed of.
5. In appeal issue notice to the respondents, returnable on 7.3.2017. Mr.Swami h/f Mr. Gunale learned counsel waives notice for respondent no.10.
6. Interim order, granted earlier, to continue, till further orders.

(V.K. JADHAV, J.)

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