

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

948 CIVIL APPLICATION NO. 8141 OF 2016
IN FAST/36242/2015

SHRIRAM RAMDAS SHENDGE
VERSUS
GANGADHAR VITTHALRAO GADGE AND ANR

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Advocate for Applicant : Mr. Girish K. Thigale (Naik).

Advocate for Respondent No.1 : Mr. Vilas P. Savant.

Advocate for Respondent No.2 : Mr. Mr. S. G. Chapalgaonkar.

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CORAM : **V. K. JADHAV, J.**

DATE : 14th July, 2017.

P.C.:

. Heard both the sides.

2 The learned counsel for Applicant submits that the Applicant has incurred huge medical expenses and as such, he could not prefer the appeal within the period of limitation due to financial constraint.

3 Both the counsel appearing for Respondents strongly resisted the application on the ground that the delay has not been explained satisfactorily.

4 In view of the above submissions and for the reasons stated in the application, the delay of 331 days caused in filing the appeal is hereby condoned. Civil application is allowed and accordingly disposed of.

5 In appeal, heard. Issue notice to the Respondents, returnable on 24th August, 2017. The learned counsel appearing for Respondent

No.1 and the learned counsel appearing for Respondent No.2 waive the service of notice for the respective Respondents. Record and proceedings be called for.

[V. K. JADHAV, J.]

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