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

**1021 CIVIL APPLICATION NO. 762 OF 2017
IN FAST/36495/2016**

**YASHODABAI BABURAO SURALKA AND ORS
VERSUS
ALTAFBHAH ABDULBHAH QUERESI AND ANR**

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**Advocate for Applicants : Mr Bhokarika Madhav M
Advocate for Respondent No. 2 : Mr S. G. Chapalgaonkar**

CORAM : V.K. JADHAV, J.

DATE : 28th April, 2017

ORAL ORDER

Heard.

2. Learned counsel for the applicants submits that due to financial constraints the applicants could not prefer the appeal within a period of limitation and thus, the delay has been occurred.
3. The learned counsel for respondent No.2 strongly resisted the application on the ground that delay has not been explained satisfactorily.
4. In view of the submissions made on behalf of the applicants and the fact that the bread winner of the family met with an accident, the delay of 676 days caused in preferring first appeal is hereby condoned.
5. Civil Application is allowed and accordingly disposed of.

(V.K. JADHAV, J.)

amj