

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.4112 OF 2013
IN
FIRST APPEAL (ST) NO.15044 OF 2013**

Shri.Bhauso Devappa Banajwade ..Applicant/Appellant

V/s.

Shri.Bapu @ Bashir Papa Jamadar & Anr. ..Respondents

Mr.S.G. Thorat for the Applicant/Appellant.

Mr.Amol Gatne for Respondent No.3.

CORAM : M. S. SONAK, J.

DATE : 20 MARCH 2017.

P.C.

1. Heard Mr.Thorat, learned counsel for the applicant and Mr.Gatne, learned counsel for respondent No.3.

2. The learned counsel for the applicant states that service is completed upon all the respondents.

3. Mr.Gatne submits that no sufficient cause has been shown to condone the delay of the 153 days. However, upon perusing the Civil Application, the cause shown, in the facts and circumstances of the present case, will be considered as sufficient.

In particular, reference, is required to be made to the averments made in paragraph Nos.6 and 7. Accordingly, the Civil Application is allowed. The delay in institution of the appeal is condoned.

4. The Civil Application is disposed of.

(M. S. SONAK, J.)