

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

44 CIVIL APPLICATION NO. 124 OF 2018
IN SAST/1088/2017

ASHOK RAMCHANDRA WAGH	..Applicant
VERSUS	
BHASKAR BHIVSAN PATIL AND OTHERS	..Respondents

...

Shri M.S. Deshpande, Advocate for Applicant
Shri Mohit S. Shah, Advocate, h/f. Shri S.P. Brahme, Advocate
for Respondents No.1 & 2

...

CORAM : P.R. BORA, J.
Dated: July 30, 2018

PER COURT :-

1. Heard Shri Deshpande, the learned Counsel for the applicant and Shri Shah, the learned Counsel for respondents no.1 & 2.
2. Respondent nos.3-a & 3-b though are duly served, have not entered their appearance in the matter. The delay of 170 days has occurred in filing the present Second Appeal. The learned Counsel for the respondents submitted that, the reasons as are assigned in the application are insufficient to condone the delay. In the alternative, the learned Counsel has prayed for heavy cost, if the application is allowed.
3. On perusal of the contents of the application, I am convinced that, sufficient reasons are made out for condoning the delay. In the circumstances, I deem it appropriate to pass

the following order.

ORDER

- (i) The Civil Application is allowed.
- (ii) The delay caused of 170 days in filing the appeal is condoned subject to the cost of Rs.3,000/-. The Second Appeal be registered in accordance with law. Civil Application stands disposed of.

(PR. BORA, J.)

...

ggp