

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

CIVIL APPLICATION NO. 10656 OF 2017
IN SAST/26018/2017

PRABHU BABURAO NIMBALKAR AND OTHERS
VERSUS
BABU SHANKAR PAWAR AND OTHERS

...
Advocate for the Applicants : Shri Abhijit Chaudhary h/f Shri Choudhary
D.J..

Advocate for Respondents 1 to 11 : Shri P.H.Sukale h/f Shri Suryawanshi
Kamlakar J..

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 12th January, 2018

Per Court:

1 The Applicants pray for condonation of delay of 212 days caused in filing the Second Appeal. The reasons for delay are set out in the application.

2 The learned Advocate for the Respondents has strenuously opposed the application. He contends that the reasons cited are not convincing. Delay cannot be condoned easily. This application be dismissed with heavy costs. In the alternative, he submits that the costs may be imposed and the same may be donated to the Advocates Association of Bombay High Court, Bench at Aurangabad.

3 Considering the above and upon going through the reasons

cited by the Applicants seeking condonation of delay, this Civil Application is allowed and delay of 212 days is condoned on the condition that the Applicants shall deposit an amount of Rs.1000/- (Rupees One Thousand) with the Advocates Association of Bombay High Court, Bench at Aurangabad on or before 02.02.2018.

4 After the amount is deposited, all office objections in the Second Appeal shall be removed on or before 09.02.2018 after which, the Second Appeal be registered and listed for admission on 13.02.2018.

5 If any of the above directions is not complied with, this order shall stand recalled and then, this Civil Application shall stand dismissed without reference to the Court.

kps

(RAVINDRA V. GHUGE, J.)