

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

**955 CIVIL APPLICATION NO. 120 OF 2018
IN SAST/31314/2016**

RAJENDRA S/O POPAT PATIL

..Applicant

VERSUS

SUREKHA W/O RAJENDRA PATIL

..Respondent

...

Advocate for Applicant : Shri V.P. Patil

Advocate for Respondent : Shri U.S. Patil

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CORAM : P.R. BORA, J.

Dated: August 07, 2018

PER COURT :-

1. Delay of 282 days has occurred in filing Second Appeal by the present applicant. The respondent has strongly opposed for condoning the delay stating that, the reasons as are assigned are insufficient to condone the delay. On perusal of the application, it is revealed that, the delay is sufficiently explained and the applicant needs to be given an opportunity to agitate the appeal on merits. In the circumstances, I deem it appropriate to pass the following order.

ORDER

(i) The delay caused of 282 days in filing the appeal is condoned subject to cost of Rs.2,000/-. The appeal be registered in accordance with law. Civil Application stands disposed of.

(ii) On registration of the appeal, issue notice to the respondent. Learned Counsel Shri U.S. Patil waives service of notice for the respondent. Service complete.

(iii) List the appeal for further consideration after four weeks.

(PR. BORA, J.)

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