

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

930 CIVIL APPLICATION NO.6448 OF 2019
IN
SECOND APPEAL STAMP NO.12117 OF 2019

SALIM PATHAN VAJIR @ VAJID PATHAN
VERSUS
KHIYAL JIVANDAS KATARIYA
DECEASED THROUGH L.RS.
KIRAN KHIYAL KATARIYA AND ANOTHER

...

Advocate for Applicants : Mr.Ameet R. Vaidya
Respondents - party in person : Mr.Kiran
Khiyal Katariya.

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CORAM : V.L.ACHLIYA, J.
DATE : 03.07.2019

PER COURT:

1] The applicant-appellant has filed this Civil Application seeking condonation of delay of 5 days in filing the Second Appeal.

2] Heard the learned counsel for the applicant - appellant and respondent no.1, who is present in-person. Perused the reply filed by the respondents.

3] Considering the submissions advanced in the light of cause shown in the application for condonation of delay, I am of the view that the delay caused in filing the Appeal deserves to be condoned. No serious prejudice would be caused to the respondents if the delay is condoned as ultimately Appeal will be admitted and decided on merits. Accordingly, Civil Application No.6448 of 2019 is allowed.

4] Appeal be registered and placed for admission on 19th August, 2019, subject to removal of office objections.

[V.L.ACHLIYA]
JUDGE

DDC