

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

901 CIVIL APPLICATION NO.9015 OF 2019  
IN SAST/14425/2019

PRAKASH SHANKAR DETHE  
VERSUS  
SACHIN PREMRAJ GUGALE

...

Mr.Shubham Jaybhar h/f Mr. D.R. Jaybhar,  
Advocate for the applicant.  
Mr.S.R. Andhale, Advocate for respondent.

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CORAM: V.L. ACHLIYA,J.  
DATE : 18.10.2019

**ORAL ORDER:**

The applicant/appellant has moved this application seeking condonation of delay of 17 days caused in filing the appeal.

2. Heard learned counsel for the applicant/appellant and respondent.

3. Learned counsel for the applicant/appellant submits that the delay caused in filing appeal was not deliberate and intentional, but occurred due to the reasons set out in detail in the application. In brief, it is the contention of learned counsel for the appellant/applicant that the applicant is poor and illiterate person. He

was unaware of the steps to be taken in the matter. After advise to file appeal, the applicant has arranged for funds and filed the present appeal. In the process, there is delay occurred of 17 days.

4. On the other hand, learned counsel for the respondent opposed the application with contention that the cause assigned is not sufficient to condone the delay and the reasons assigned are false and concocted.

5. On due consideration of submissions advanced in the light of unchallenged and controverted pleadings made in the application, I am of the view that the delay deserves to be condoned. Accordingly, the application is allowed in terms of prayer clause "B". The appeal be registered and placed for admission on 26<sup>th</sup> November, 2019 subject to removal of office objection.

6. The Civil Application is disposed of in above terms.

**[V.L. ACHLIYA]**  
**JUDGE**