

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

**989 CIVIL APPLICATION NO.8470 OF 2018
IN FAST/17750/2018**

**SANJAY SUDARSHAN JAISWAL
VERSUS
AMIN SHAH MUNIR SHAH AND ORS**

...
Advocate for Applicant : Mr. Undre Vikram S
Advocate for Respondent No.2 : Mr. S.G. Chapalgaonkar
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 2nd AUGUST, 2019.

ORDER :

. Present application has been filed by original respondent No.1 for getting the delay of 394 days condoned in filing first appeal. It has been submitted that the matter has proceeded ex-parte against him. He was not having any knowledge regarding the notice which was published against him in a newspaper and after he got the knowledge about the decision against him, he has approached the Advocate for filing appeal.

2. The application has been strongly objected by learned Advocate for respondent No.2 on the ground that the delay of each and every day has not been properly explained.

3. Though respondent Nos.1 and 3 are represented by learned Advocates, they are absent.

4. Taking into consideration the fact that matter had proceeded ex-parte against the present applicant and for the reasons mentioned by him in paragraph Nos.3 to 5, the delay stands condoned.

5. Civil Application stands allowed and disposed of accordingly.

6. Registry to verify and register the first appeal and place it for further consideration on 24.09.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/