

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 CIVIL APPLICATION NO.11124 OF 2018
IN
SAST/21979/2018

DINKAR MANIKRAO KADAM AND ANOTHER
VERSUS
SAGARRAO GANPATRAO KADAM LRS VIJAY AND OTHERS

...

Advocate for Applicants : Mr. Tope Sambhaji S.
Advocate for Respondent Nos.1A,1B,1C & 2 :
Mr. Choudhary S.S.

...

CORAM: SMT. VIBHA KANKANWADI, J.

DATE : 22nd March, 2019

PER COURT :

Present application has been filed for getting delay of 25 days in filing Second Appeal condoned. The applicants' contention is that they do not go through the judgment and decree passed by the First Appellate Court. Thereafter, there was Summer Vacation and the applicants had not received the certified copies. It is stated that the delay is not deliberate and is unintentional.

2. Learned Advocate appearing for Respondent No.1A, 1B, 1C and 2 has objected the application stating that the delay of each and every day has not

been explained sufficiently. Other respondents though served have not appeared.

3. Taking into consideration the reasons stated in paragraph No.4 and the fact that there is delay of only 25 days and the parties are coming from a rural area, the application deserves to be liberally considered and, therefore, it is allowed. The delay caused in filing Second Appeal is hereby condoned.

4. Registry to verify and register the Second Appeal and place it for consideration on 24th April, 2019.

(Smt. Vibha Kankanwadi, J.)