

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

925 CIVIL APPLICATION NO.117 OF 2018
IN SAST/23210/2017

YOGESH GANPATRAO MEKHALE
VERSUS
SUNANDA NARSINGRAO PANDGE AND OTHERS

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Mr. V.D. Gunale, Advocate for the applicant

Mr. V.R. Dhorde, Advocate for the respondent Nos.1 and 2

Mr. Satish Bhosale, Advocate for the respondent Nos.3 to 8

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CORAM : SMT. VIBHA KANKANWADI,J.

DATE : 22th FEBRUARY, 2019

PER COURT :

1 Learned Advocate Mr. V.R. Dhorde vehemently argued.

2 Present application has been filed to get the delay of 25 days
condoned, which has been caused for filing Second Appeal. Present
applicant/appellant is the original defendant No.1. Present respondent
Nos.1 and 2 are the original plaintiffs, who had filed Special Civil Suit
No.108/2003 before Civil Judge Senior Division, Latur for possession and
mesne profit. The said suit came to be partly decreed on 14.01.2009.
Defendant No.1 preferred R.C.A. No.210/2012 before District Court, Latur.

The same came to be decided by learned Adhoc District Judge-1 on 15.03.2017 dismissing the appeal. Now, the defendant No.1 intends to approach this Court by filing Second Appeal, however, there is delay of 25 days. It is stated that the said delay has been caused due to the time consumed in collecting documents, which were asked by his Advocate for drafting the Second Appeal. Taking into consideration the liberal approach and the fact that he had approached the Advocate in time, but since the Advocate was in need of some more documents, it is stated that time was taken. Under such circumstance, the delay is hereby condoned by allowing this application. Registry to verify and register the Second Appeal and it be placed for consideration on 19.03.2019.

(Smt. Vibha Kankanwadi, J.)

agd