

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

**CIVIL APPLICATION NO.4376 OF 2019
IN SAST/25101/2018 WITH CA/4377/2019 IN
SAST/25101/2018**

**GITABAI BAPU DETHE AND ANOTHER
VERSUS
HARIJAN CHAWADI THRO. JAIDEV AND OTHERS**

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Mr.D.A. Mane holding for Mr.P.A. Bharat,
Advocate for applicants
Mr.V.P. Latange, Advocate for Respondent
Nos.1A, 1B, 2 to 5.

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**CORAM: V.L. ACHLIYA, J.
DATE : 11.07.2019**

ORAL ORDER:

The applicants/appellants have filed this application for condonation of 35 days delay in filing the Second Appeal.

2. Heard learned counsel for appellants/applicants and learned counsel representing the respondents.

3. On due consideration of the submissions advanced in the light of reasons assigned to condone the delay, which remains uncontroverted and unchallenged, I am of the view that the delay deserves to be condoned.

In case the delay is condoned, no prejudice would cause to the respondents. On the contrary if the delay is not condoned, there is every likelihood that meritorious matter will get rejected for technical reason. Therefore, I am inclined to allow the application. Accordingly, the application is allowed in terms of prayer clause "A". The delay condoned. Appeal be registered. Office objections be removed within two weeks from registration of appeal.

4. List the Second Appeal for admission on 5th August, 2019.

[V.L. ACHLIYA]
JUDGE

SGA