

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

**930 CIVIL APPLICATION NO.52 OF 2017
IN FAST/29476/2016**

NIRMALABAI BALASAHEB CHAUDHARI
VERSUS
RAJENDRA BALASAHEB CHAUDHARI

...
Advocate for Applicant : Shri H.D. Deshmukh
Advocate for Respondent : Shri C.K.Shinde

...
CORAM : P.R.BORA, J.

DATE: 6th February, 2019

PER COURT:-

1 Heard the learned Counsel for the parties. Though, the delay apparently appears to be of huge period of 3066 days, it is not in dispute that the time has been consumed in agitating before the wrong forum. I am, therefore, inclined to condone the delay. Hence, the following order is passed:-

ORDER

- I) The application is allowed.
- II) Delay of 3066 days caused in filing the appeal is condoned. Civil Application No.52 of 2017 stands disposed of.
- III) Appeal be registered in accordance with law.

IV) After registration of appeal, issue notice to the respondent. Shri C.K.Shinde, learned Counsel waives service of notice for sole respondent. Service complete.

V) List the matter for further consideration on 06.03.2019.

(P.R.BORA)
JUDGE

SPT