

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

**CIVIL APPLICATION NO.12727 OF 2019
IN FCAST/28896/2019**

**CHANDRAKANT @ MANOJKUMAR SUBHASH GUND AND ORS.
VERSUS
SANDHYA CHANDRAKANT GUND**

...
Advocate for Applicants : Shri Gaurav L. Deshpande
Advocate for Respondent : Shri H. P. Jadhav
...

**CORAM : SUNIL P. DESHMUKH &
B. U. DEBADWAR, JJ.**

DATE : 20th DECEMBER, 2019

PER COURT :

1. Heard learned counsel appearing for parties.
2. There is 118 days' delay in approaching this Court against order dated 15-02-2019 passed by Family Court in Petition C No. 26 of 2017.
3. Learned counsel for applicants purports to refer to that due to change in place of litigation, there had been no communication between applicant and their advocate, coupled severe drought situation faced by the region, it had been difficult for them to manage their finances which has resulted in delay in approaching this court against impugned order dated 15-02-2019.

4. Though learned counsel for respondent purports to oppose the claim, however, having regard to guidelines of Supreme Court in case of *AIR 1987 SC 1353 (Collector Land Acquisition, Anantnag Vs. M/s. Katiji and Others)* and *(2013) 12 SCC 649 (Esha Bhattacharjee Vs. Managing Committee of Raghunathpur Nafar Academy and Others)*, we deem it appropriate to allow the application. Civil application is allowed in terms of prayer clause 'B'.

5. Civil application is disposed of.

(B. U. DEBADWAR, J.)

(SUNIL P. DESHMUKH, J.)

SVH