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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

929 CIVIL APPLICATION NO.5633 OF 2015
IN SAST/31670/2014

ARUNA UTTAM MORE AND OTHERS
VERSUS
SATYABHAMA SANTOSH MORE AND ANOTHER

...

Advocate for Applicants : Shri Adgaonkar Ravibhushan P.
Advocate for Respondent nos.1 & 2 : Shri Manoj D. Shinde

CORAM: V.L. ACHLIYA, J.

DATE: 14.08.2019

PER COURT :

1] Heard learned counsel for the applicants and respondents.

2] This application is filed seeking condonation of 20 days delay in filing appeal.

3] In brief, it is the contention of learned counsel for the applicants that the delay caused in filing appeal was not deliberate and intentional. The delay was caused due to considerable time spent in collecting documents, seeking advice and then arranging funds to present appeal.

4] Learned counsel for the respondents opposed the application with contention that the cause assigned

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cannot be treated as sufficient cause so as to condone the delay.

5] On due consideration of the submissions advanced in the light of unchallenged pleadings, I am of the view that the delay deserves to be condoned. If delay is condoned, no serious prejudice would be caused to respondents as ultimately the appeal will be decided on its own merits.

6] Accordingly, the application is allowed. Delay condoned. Appeal be registered and placed for admission on 16.9.2019.

7] Shri Manoj Shinde Advocate waives notice before admission for respondent nos.1 & 2.

8] In order to explore the possibility of mutual settlement, the learned counsel for the parties are directed to keep the parties present on the next date of hearing.

9] S.O. to 16.9.2019.

(V.L. ACHLIYA, J.)