

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 CIVIL APPLICATION NO.13287 OF 2018
IN SAST/32805/2018

Rukhminibai w/o Sitaram Rikshe,
Age 58 years, occupation Agri.,
R/o Asola Tq. Dist. Parbhani.
And Others.

...Applicants.

VERSUS

Baburao Sitram Rikshe,
Age 40 years, Occupation Agri.,
R/o Asola Tq. Dist. Parbhani.
And Others.

...Respondents.

...
Advocate for Applicants : Mr. Kale Mahesh P.
Advocate for Respondents No.1, 2, 3/1 to 3/3 : Mr. M. M. Patil.
...

CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 16-01-2019.

PER COURT :

1. Heard learned advocate appearing for the applicants and respondents. Present application has been filed for condonation of delay in filing second appeal. The delay is of only 47 days. It has been contended that, the delay is unintentional and it was caused due to the poor financial condition of the applicants. So also the time was required by them to travel, give instructions to the advocate, and

thereafter the advocate took some time to draft the second appeal.

2. The application has been objected on the ground that, no reasonable ground explaining each and every days delay has been given.

3. Taking into consideration the reasons mentioned in paragraph No.4 of the application and the fact that applicant No.1 is a illiterate lady, applicant No.3 is aged only 19, delay deserves to be condoned. Hence following order.

ORDER

- 1) Application is allowed.
- 2) The delay caused in filing second appeal is hereby condoned.
- 3) Registry to verify and register the second appeal and it be placed for consideration on 04-02-2019.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-.