

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

**35 CIVIL APPLICATION NO.14284 OF 2018
IN FAST/35978/2018**

**SACHIN SHASHIKANT GHOTANKAR
VERSUS
BABURAO PANDURANG KALE**

...
Advocate for Applicant : Shri Yogesh B. Bolkar
Advocate for Respondent : Shri R.L.Kute h/f. Shri N.D.Sonavane

...
CORAM : P.R. BORA, J.
Date: January 14, 2019

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PER COURT :-

1 The learned Counsel for the respondent - original plaintiff has tendered across the bar an affidavit-in-reply on application for condonation of delay. The same is taken on record.

2 The respondent has strongly opposed for condoning the delay, however, for the reasons stated in the application, which according to me are just and sufficient, delay of 231 days in filing the appeal is condoned. Hence, the following order:-

ORDER

- I) The application is allowed and disposed of.
- II) Delay of 231 days caused in filing the appeal is condoned subject to costs of Rs.2,000/-.
- III) Appeal be registered in accordance with law.

IV) After registration of appeal, issue notice to the respondent. Shri N.D.Sonavane, learned Counsel waives service of notice for the respondent. Service complete.

V) List the matter for further consideration on 25.02.2019.

VI) Call Record and Proceedings.

(P.R. BORA, J.)

SPT