

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

19 CIVIL APPLICATION NO. 6494 OF 2020

**CITY INDUSTRIAL DEVELOPMENT CORPORATION, THR ITS
AUTHORIZED OFFICER, AURANGABAD
VS
LAXMAN KHUSAHL SURYAWANSHI THR HIS GPA SANJAY
KALANTRI (DECEASED) THR LRS NANDLAL AND ORES**

Mr. R. S. Wani, Advocate h/f Mr. A. S. Bajaj, Advocate for the
applicant
Mr. S. W. Munde, AGP for the respondent/State

CORAM : V. L. ACHLIYA, J.

DATE : 07-12-2020

P. C.

. The applicant has filed this application seeking
condonation of 51 days delay in filing of appeal.

2. Heard learned counsel for the applicant and learned
AGP for the respondent/State. Respondent No. 1-a to 1-C though
served, are absent.

3. In brief, it is the contention of the learned counsel for
the applicant that 51 days delay in filing of appeal was not
intentional and deliberate. It is submitted that the appellant has
good case to succeed in appeal. In case, delay is not condoned
serious prejudice may cause to the appellant.

4. On due consideration of the submissions advanced in the light of unchallenged and uncontroverted pleadings made in the application assigning cause for condonation of delay, I am of the view that delay deserves to be condoned. In case, delay is not condoned, there is every likelihood that a meritorious matter may be rejected for technical reasons. Hence, the application is allowed in terms of prayer clause-B.
5. Appeal be registered.
6. List the appeal after eight weeks.
7. The application is disposed of in above terms.

[V. L. ACHLIYA, J.]