

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

18 CIVIL APPLICATION NO. 6485 OF 2020

**CITY INDUSTRIAL DEVELOPMENT CORPORATION, THR ITS
AUTHORIZED OFFICER, AURANGABAD
VS
DEVIDAS KANHAYALAL KASURE (DIED) THR LRS
CHANDULAL AND ORS**

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 43 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-d though served, are absent.

3. In brief, it is the contention of the learned counsel for the applicant that 43 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.]