

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

**902 CIVIL APPLICATION NO.6060 OF 2019
IN
FAST/14092/2019**

**MSRTC PUNE AUTHORIZED TO DIV.
CONTROLLER, AURANGABAD
VERSUS
BHAUSINGH BHAULAL DONGARJAL AND ORS**

...
Mr. M.K.Goyanka, Advocate for applicant.

...
**CORAM: V.L. ACHLIYA,J.
DATE : 17/02/2020**

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ORAL ORDER:

1. The applicant/appellant has preferred this application for condonation of 52 days delay in filing appeal for the reasons set out in detail in the application.

2. Heard learned counsel for applicant. The respondents though served and recorded appearance through Advocate have not filed affidavit in reply.

3. On due consideration of submissions advanced in the light of unchallenged, uncontroverted pleadings made in the application, I am of the view the delay

deserves to be condoned. No prejudice would cause to respondents if delay is condoned as ultimately the case will be decided on merit. On the contrary, if delay is not condoned, there is every likelihood that serious prejudice would be caused to the applicant. I am of the view the delay deserves to be condoned. I am, therefore, inclined to allow the application. Accordingly, the application is allowed in terms of prayer clause 'B'. Delay condoned. Appeal be registered subject to removal of office objections.

4. Civil Application disposed of in above terms.

[V.L.ACHLIYA]
JUDGE

KNP