

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**11 CIVIL APPLICATION NO.2536 OF 2020
IN SAST/9319/2018**

BHAGWAN PUNJARAM WATHORE
VERSUS
YOGESH KISHANRAO SURYAWANSHI

...
Advocate for Applicant : Mr. Agrawal Pavankumar S.
Advocate for Respondent : Mr. D. R. Deshmukh (Absent)
...

CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 20-09-2021.

ORDER :

1. Present application has been filed for getting delay of 138 days condoned in filing second appeal.
2. The learned Advocate for the respondent is absent nor respondent has filed any say/objection.
3. Heard learned Advocate Mr. P. S. Agrawal for applicant.
4. Though the applicant says that he was having knowledge about the decision by the First Appellate Court and had met Advocate at Aurangabad, he then says that his Advocate advised him to get the certified copies of the Judgment and decree from the lower court. After going back, he could not contact his local Advocate and make

arrangements for the certified copies. He is taking benefit of his age and illiteracy which cannot be the grounds to condone the delay.

5. Taking into consideration the duration of the delay and the liberal approach that is required to be taken, the delay stands condoned. Application stands allowed and disposed of.

6. Registry to verify and register the second appeal.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-

GAWADE
VIRENDRA
J

Digitally signed
by GAWADE
VIRENDRA J
Date: 2021.09.21
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