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

**39 CIVIL APPLICATION NO.11 OF 2016
IN SAST/10077/2014**

**PARMESHWAR BALIRAM JAMADAR@KOLI AND ANOTHER
VERSUS
RAJ GUNDERAO KALE**

...
Advocate for Applicants : Mr. Patne Santosh N.
Mr. Yenegure Apparao, Adv. For R.sole

...
CORAM : SMT. VIBHA KANKANWADI, J.
Dated: March 01, 2021

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PER COURT :-

1. Present application has been filed for getting delay of 391 days condoned in filing Second Appeal.
2. Heard both sides, who have advanced their respective contentions to support their claim. Learned Advocate for respondent strongly submitted that no sufficient reasons have been given much less reasonable.
3. Taking into consideration the reasons stated in para No.;6 of the application and the duration of the delay, a liberal approach is taken. The delay deserves to be condoned. However, at the same time, the inconvenience that would be caused to the respondent is required to be compensated in terms of money. Hence, following order, -

ORDER

- i. The application stands allowed and disposed of.

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- ii. The delay caused in filing the second appeal stands condoned subject to deposit of costs of Rs.5,000/- in this Court within a month from today.
- iii. After the amount is deposited, Registry to verify and register the second appeal.
- iv. The respondent is allowed to withdraw the said amount.

(SMT. VIBHA KANKANWADI)
JUDGE

BDV