

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 CIVIL APPLICATION NO.11595 OF 2014
IN SAST/27781/2014

SAKHUBAI ANANDRAO PALANDE LRS MANIKRAO AND OTHERS
VERSUS
TUKARAM BHIMAJI PAWAR AND OTHERS

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Advocate for Applicants : Mr. S. P. Salgare h/f Mr. Gaware Niteen V.
Advocate for Respondent Nos.1, 2, 4 to 14 and 16 : Mr. Gawali Amol K.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 10.08.2021

ORDER :-

. The applicants pray for condonation of 112 days delay caused in lodging the second appeal. Reasons are set out in the application. Learned Advocate for respondent Nos.1, 2, 4 to 14 and 16 opposed the application. Respondent Nos.3, 15 and 17 to 19 have chosen to remain absent, though served.

2. In the light of the above, the civil application is allowed. Delay of 112 days is condoned subject to cost of Rs.10,000/-. Learned Advocate for the respondents submits that the said amount be donated to the High Court Legal Services Authority, Sub Committee, Aurangabad. The applicants shall, therefore, deposit the costs with the High Court Legal

Services Authority, Sub Committee, Aurangabad within a period of one month from today, pursuant to which, the second appeal be registered after removal of all office objections.

3. It is to be noted that in connected matters i.e. Civil Application Nos.11285 of 2014 and 11286 of 2014, delay had been condoned by order dated 01.04.2015 and the applications were allowed. Why after the said order, present application was not got circulated, is not explained by the learned Advocate and, therefore, for keeping the matter unnecessary for so many years, the aforesaid cost has been imposed.

4. In the event of non-compliance of this order, the same shall stand recalled and the civil application shall stand rejected.

[SMT. VIBHA KANKANWADI, J.]

scm