

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**904 CIVIL APPLICATION NO.4797 OF 2020
IN SAST/31160/2018**

KRISHNA MOTIRAM ROKDE
VERSUS
SARALA RAJENDRA MARATHE

...
Advocate for Applicant : Mr. Mangesh Jadhav h/f Mr. Shah Subodh P.
...

CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 24-09-2021.

ORDER :

1. Present application has been filed for getting delay of 119 days condoned in filing the second appeal.
2. The respondent is served with notice but he is not present nor he has made any arrangement to represent him.
3. Heard learned Advocate Mr. Mangesh Jadhav holding for Mr. S. P. Shah for applicant.
4. Learned Advocate for the applicant submits that, applicant is 77 years old person, he is suffering from various diseases, there was communication gap between applicant and his Advocate before the lower Courts, therefore there is delay in filing the second appeal. He

is taking benefit of his age 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: 2021.09.24
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