

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

**CIVIL APPLICATION NO. 1044 OF 2021
IN
SECOND APPEAL (ST.) NO. 380 OF 2019**

Onkar Sharvan Phutke (died)
Through his Legal Heirs
Ashok alias Sudhakar Onkar Phukte
and others

.. Applicants

Versus

Hirabai Vishawanth Jangam (died)
Yogesh Vishwanath Jangam and others

.. Respondents

Mr. S. B. Yawalkar, Advocate for the Applicants.

Mr. N. C. Swami, Advocate for Respondent No. 2 & GPA for Respondent Nos. 3 to 5.

Mr. S. S. Gangakhedkar, Advocate for Respondent Nos. 6-A to 6-F.

CORAM : BHARAT P. DESHPANDE, J.

DATED : 26th AUGUST, 2022.

PER COURT:-

1. This is an application for condoning the delay of 41 days caused in filing second appeal.
2. Heard learned counsel for the applicants and learned counsel for the respondents.
3. The present application discloses the grounds for condonation of delay in paragraph Nos. 3 and 4. These grounds are considered as sufficient grounds for condoning the delay. Hence, the following order.

ORDER

- (i) The application stands allowed.
- (ii) Delay of 41 days stands condoned.
- (iii) Office to register the second appeal.
- (iv) Civil application stands disposed of accordingly.

(BHARAT P DESHPANDE, J.)

PS.B.