

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

**CIVIL APPLICATION NO. 8089 OF 2021
IN SAST/12158/2021**

**NANASAHEB @ NIVRUTTI BABURAO SHINDE LRS
SUMANBAI AND OTHRES**

VERSUS

**M/S BALDAWA AND CO., THROUGH ITS PARTNER
RAMAKANT DURGAPRASAD BALDAWA**

...

Advocate for Applicants : Mr. Dixit Sushant V.
Advocate for Respondent Nos. 1, 2 & 4 : Mr. Akshay Kulkarni
h/f. Mrs. Anjali Bajpai Dube

CORAM : RAJESH S. PATIL, J.

DATE : 12th DECEMBER, 2022

PER COURT :

1. This Civil Application is filed for condoning delay in filing the Second Appeal.
2. There is delay of 2562 days in filing the Second Appeal. Learned Advocate for the respondents has raised objection to condone the delay.
3. The Supreme Court in the matter of *Dr. Yashwantrao Bhaskarrao Deshmukh Versus Raghunath Kisan Saindane*, reported in **2021 SCC Online SC 914**, set aside the

order of High Court, which rejected the delay condonation application in filing the Second Appeal. In view of the ratio laid down in the above mentioned Supreme Court judgment and the submissions made in the Civil Application, Civil Application is allowed in terms of prayer clause 'A', subject to costs of Rs. 2,000/- (Rupees two thousand) to be paid by the applicants to the respondents.

4. After the costs is paid, office to number the Second Appeal.

5. Civil Application stands disposed off.

(RAJESH S. PATIL, J.)