

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

**927 CIVIL APPLICATION NO.11085 OF 2019
IN FAST/26495/2019**

**SYED FAREED SYED GAFOOR
VERSUS
SHAIKH KAHAYYUM SHAIKH ISMILE AND ANR**

Mr S.P. Katneshwarkar, Advocate for applicant
Mr M.M. Ambhore, Advocate for respondent no.2

CORAM : SHRIKANT D. KULKARNI, J..

DATE : 6th January 2022

PER COURT :

1. Heard Mr S.P. Katneshwarkar, learned Advocate for applicant and Mr M.M. Ambhore, learned Advocate for respondent no.2. Respondent no.1 though duly served, none present for respondent no.1 when matter is called.
2. Mr Ambhore, learned Advocate for respondent no.2 strongly opposed to condone the delay. He submits that no sufficient reasons are assigned for condonation of delay.
3. It appears that the applicant is a daily wageer. He could not arrange for the funds to prefer an appeal within time. The delay is not intentional.
4. By looking to the nature of dispute and injury claim, it is necessary to condone the delay in the interest of justice.

ORDER

- (i) The application is hereby allowed in terms of prayer clause (A) and (B).

- (ii) The Registry to make scrutiny of the appeal as per procedure and it be numbered and placed before the Court for admission.
- (iii) The Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

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