

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

CIVIL APPLICATION NO.7273 OF 2016 IN FAST/25891/2015

SHRI 1008 NEMINATH BHAGWAN DIGAMBAR JAIN THROUGH
PRESIDENT- MANIKCHAND SURAJMAL BINAYAKE AND OTHERS
VERSUS
PAWAN VIJAYKUMAR AMBHURE AND OTHERS

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Mr. Pramod F. Patni, Advocate for the Applicants
Mr. G.L. Deshpande, Advocate for Respondent Nos. 1 to 3
Mr. K.K. Naik, Advocate for Respondent No.6

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 09th MARCH, 2022

PER COURT:-

1. It is an application for condonation of delay moved by the applicants
2. Heard Mr. Patni, learned counsel for the applicants / appellants. He submits that no date for issuance of certified copy was given. As such, if the days for receiving the certified copy are calculated till filing of the appeal, there is no delay. However, he submits that if technically there is delay, it may be condoned.

3. Mr. G.L. Deshpande, learned counsel for the contesting respondents strongly opposed to condone the delay. He submits that the applicants are enjoying the interim relief of stay. The application for condonation of delay needs to be rejected.

4. Having considered the submissions of learned counsel for both the sides and looking to the volume of seven days delay, it is necessary to condone the same, which would meet the ends of justice.

ORDER

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

(ii) Registry to make scrutiny of the appeal and register the same as per due procedure, and thereafter, it be placed before the concerned Court for admission.

(iii) The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE