

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

**CIVIL APPLICATION NO.1146 OF 2013
IN
CIVIL APPLICATION NO.9832 OF 2012
IN
SECOND APPEAL (ST) NO.4869 OF 2011**

**BHANUDAS VITHAL MORE AND ORS
VERSUS
THE STATE OF MAH AND ORS**

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Advocate for Applicants : Mr. Chavan Sudhir K.
AGP for respondent/State : Mr. S.W. Mundhe
Advocate for Respondent 3-A: Mr. G.R. Syed

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CORAM : MANGESH S. PATIL, J.

DATE : 14.03.2022

PER COURT :

The Second Appeal was filed with the Application for condonation of delay bearing Civil Application No.9832/2012, it was dismissed in default for not providing additional copies for being served. By operation of condition the registration of Second Appeal stood refused. By way of this Application, request is made for restoring it. The Civil Application Is filed in time. Learned advocate Mr. G.R. Syed who appears for respondent No.3A and the learned AGP opposes the Application.

2. For the reasons mentioned in the application it is allowed as prayed for.

3. I have heard both the sides even on the point of delay in filing the Second Appeal. The delay is of 67 days.

4. Considering the nature of the dispute and the averments in the application which have gone without any demur, the delay does not appear to be deliberate or intentional. It is condoned. Register the Second Appeal as well. The delay condonation application stand disposed of.

(MANGESH S. PATIL, J.)

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