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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 2649 OF 2021

SHRI. VASANT NATU MHASKAR

....PETITIONER

V/s.

SHRI. YOGESH SHRIRAM GHADGE AND ORSRESPONDENTS

Mr. Prabhakar M. Jadhav for the Petitioner

None for the Respondent

CORAM : NITIN W. SAMBRE, J.

DATE: FEBRUARY 1, 2022.

P.C.:

1) None appears for the Respondent in-spite of service. Order impugned is passed on 19/03/2021 wherein Mis. Application for condonation of delay came to be rejected. It is the contention of learned counsel for the Petitioner/Appellant before the District Court that the delay was only of two days and same was duly explained. It is also claimed that delay was unintentional and bonafide and prayed that delay may be condoned subject to reasonable conditions.

2) Aforesaid contentions are not controverted by the Respondents

as they chose to remain absent.

3) In the aforesaid background, if the submissions of the learned counsel for the Petitioner are appreciated, delay appears to be properly explained and same is bonafide and unintentional. As such, case for condonation of delay is made out.

4) Order impugned dated 19/03/2021 is hereby quashed and set aside. Delay caused in preferring the Appeal stands condoned subject to payment of cost of Rs. 2000/- to be deposited before the learned District Judge, Pune in the pending Appeal. District Judge shall pass appropriate order for apportionment of the cost.

5) Petition stands disposed of in the above terms.

[NITIN W. SAMBRE, J.]