

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

**925 CIVIL APPLICATION NO.11983 OF 2022
IN SAST/19255/2022**

**SHIVAJI SHAHAJI JADHAV AND OTHERS
VERSUS
UJWALABAI DNYANOBA PADILE AND OTHERS**

Mr.Bhagwant Deshpande h/f. Ms. Priyanka Deshpande, Advocate for the applicants.

Mr.A.N. Sabnis, Advocate for respondent Nos. 1 to 7.

**CORAM : KISHORE C. SANT, J.
DATED : 04.11.2023**

PC :-

01. Heard learned Advocates for the parties. This application is filed seeking condonation of delay of 50 days caused in filing the Second Appeal. The learned Advocate for the applicant submits that the applicant had approached their lawyer to instruct to file the Second Appeal. It is, thereafter, they were told to get certified copies of the documents required for filing the Second Appeal. The applicants, thereafter, filed application for certified copies. After getting the same, they approached the learned Advocate for filing the Second Appeal. However, immediately, thereafter there were summer vacations. Therefore, the appeal could not be filed immediately. He submits that there is sufficient cause to condone the delay. The subject matter of the dispute is a landed property and thus valuable rights of the parties are involved. He also submits that there are contrary judgments of the Courts below and thus prays for allowing the application.

02. Learned Advocate Mr. Sabnis for the respondent vehemently opposes the application stating that taking the dates as it is, there is no sufficient cause made out to condone the delay.

03. Considering that valuable rights of parties are involved and also in view of the fact that there are contrary judgments of the Courts below, this Court feels that the delay needs to be condoned. The application is, therefore, allowed and disposed off. Office to register the Second Appeal.

[KISHORE C. SANT, J.]