

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

**918 CIVIL APPLICATION NO.9210 OF 2023
IN SAST/20751/2023**

**SHAIKH ISMAIL SHAIKH MOHIYODDIN
VERSUS
KHAMARUBI SAYYED PASHU AND ORS**

...
Advocate for Applicant : Mr. J.B. Paiker h/f. Mr. G.G. Suryawanshi
...

**CORAM : ARUN R. PEDNEKER, J.
DATED : 28/07/2023**

PER COURT :

1. Applicant has filed present civil application for condonation of delay of 44 days caused in second appeal. The learned counsel submits that the applicant is old aged person, suffering from health issues. The applicant was not aware of the judgment passed by the Appellate Court. He had to also manage the resources to file second appeal and therefore, delay of 44 days has been caused in filing the second appeal. The delay is not intentional and is bonafide.
2. For the reasons stated in the application, the application is allowed. Delay is condoned.
3. List the second appeal on 25.8.2023. Office objections, if any, to be removed before the next date.

[ARUN R. PEDNEKER J.]

ssc/