

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

**973 CIVIL APPLICATION NO.5659 OF 2020
IN FAST/21352/2019**

**SHIVAJI RAMA ALANE
VERSUS
NAGNATH VISHWANATH ALANE AND ANR**

...
Advocate for Applicant : Patel Fayaz K.
Advocate for Respondent No. 2 : Mr. Choudhari Abhijit G.

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 28.02.2023

PER COURT :

Heard rival submissions. The applicant is seeking condonation of delay of 115 days which appears to be caused due to his poor financial condition. The learned counsel for Insurance Company opposed the application on the ground that there is also circulation delay. The learned counsel for respondent No. 1 despite appearance remained absent.

2. Considering the statutory right of the applicant, the delay of 115 days stands condoned subject to condition that the applicant shall not claim any interest for the aforesaid period of delay and also for the delay in circulating the matter, belatedly.

3. Appeal be placed for admission after removal of office objections, if any.

4. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-