

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

**CIVIL APPLICATION NO.1213 OF 2019
IN FAST/37360/2018**

**SHEKHAR KHANDERAO AMBEKAR
VERSUS
VITTHAL MANDIR DEWASTHAN, SASTUR THR VANKATRAO
AND ORS**

....

Mr. P. D. Ambekar, Advocate for applicant

Mr. V. B. Deshmukh, Advocate for respondent Nos. 1 to 6

....

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 23.02.2023

PER COURT :-

Heard.

2. This is an application seeking condonation of delay of 386 days caused in filing appeal against the judgment and order dated 07.08.2017 passed by the learned Joint Charity Commissioner, Latur in Inquiry No.99/2016.

3. The learned Advocate appearing for the applicant submits that the delay is unintentional and the applicant has not

derived any advantage of such delay. He would submit that in the interest of justice, the delay may be condoned.

4. The learned Advocate appearing for respondent Nos. 1 to 6 vehemently opposes the application on the ground that there is no explanation for the delay which is more than thirteen months.

5. Considering the nature of dispute and the reasons as indicated above, it is desirable to condone the delay, however, subject to condition that the applicant pays costs of Rs.5,000/- to the respondents.

6. Accordingly, the civil application is allowed subject to payment of costs to respondent Nos. 1 to 6 within thirty days from the date of this order. Delay of 386 days caused in filing the appeal is condoned.

7. Appeal be registered.

[S. G. CHAPALGAONKAR, J.]