

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

**928 CIVIL APPLICATION NO. 3083 OF 2024
IN SAST/7030/2024**

**UMAKANT RAOJI SHINDE
VERSUS
SUNIL ANNASAHEB SURYAWANSHI**

...
Mr. S.S. Panale, Advocate for the applicant.
Mr. S.V. Natu, Advocate for the respondent.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 12 SEPTEMBER 2024

ORDER:-

1. Heard rival submissions.
2. The applicant is seeking condonation of delay of 215 days in filing the second appeal. The learned Counsel for respondent strongly opposed the application on the ground that there is no reason mentioned as to why the aforesaid delay has been caused. On going through the application it is clearly evident that no reason is assigned by the applicant/appellant as to why there was delay in filing Second Appeal. However, there are divergent findings by both the learned Courts below and therefore, considering the statutory right of the applicant, the application stands allowed in terms of prayer clause (B) subject to cost of Rs. 500/- to be paid to the Library, Advocates Association of High Court, Bombay,

Bench at Aurangabad. The appeal be registered after removal of office objections, if any and after deposit of cost.

3. The application is accordingly allowed.

(SANDIPKUMAR C. MORE, J.)