



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

15 CIVIL APPLICATION NO. 10575 OF 2023
IN APPEAL FROM ORDER (ST) NO. 9652 OF 2023

DNYANDEV ALIAS DNYANESHWAR NATHRAO KHISTE
VERSUS
KISHOR MURLIDHARRAO GHUGE

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Mr. S.R. Bagal – Advocate for Applicant

Mr. S.V. Mundhe – Advocate for Respondent Nos.1 to 5

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 29th January, 2024

PER COURT :

1. Heard rival submissions.
2. The applicant – original defendant is seeking condonation of delay of 1077 days, which appears to be caused due to pandemic period of Covid-19 and lack of knowledge. The learned counsel for respondent strongly opposed the application on the ground that, delay is not properly explained.
3. Admittedly, the reason for delay is not at all convincing.

However, considering the statutory right of the applicant, the application is allowed in terms of prayer clause 'B', subject to cost of Rs.1500/- (rupees One Thousand Five Hundreds only) to be paid to respondent Nos.1 to 6, within the period of three weeks.

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

5. The application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE