



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

**978 CIVIL APPLICATION NO. 9333 OF 2010
IN FAST/18185/2010**

**RAMA GANGARAM DHANVE
VERSUS
MIRZA KAZAM BAIG MIRZA ABBAS BAIG & OTHERS**

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Advocate for the applicant : Adv.K.M.Nagarkar
Advocate for respondent no.3 : Adv.D.S.Mutalik h/f.
Mr.U.S.Malte

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CORAM : ARUN R. PEDNEKER, J.

DATE : 18.01.2024

P.C. :

1] The present Civil Application is filed to condone the delay of 183 days in filing the First Appeal.

2] The learned counsel for the applicant submits that due to injury, the applicant required money for hospitalization, as such, the applicant was not in a position to file the First Appeal within time. The applicant is a labourer. The learned counsel for the applicant submits that in case delay is not condoned, the substantial right of the applicant would be defeated. Considering the said fact, the present application may be allowed.

3] The learned counsel for the respondent has opposed the application for condonation of delay.

4] For the reasons stated in the Civil Application, the same is allowed. Delay is condoned. First Appeal be registered.

5] Civil Application is disposed of accordingly.

6] First Appeal is **admitted**. On admission, Mr.U.S.Malte, learned counsel waives notice for respondent no.3.

7] Call R. & P.

[ARUN R. PEDNEKER]
JUDGE

DDC