



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

**CIVIL APPLICATION NO. 11955 OF 2017
IN SAST/23384/2015**

**SADASHIV VIKRAM PUYED AND OTHERS
VERSUS
VIKRAM NAMAJI PUYED AND OTHERS**

....

Mr. Amit A. Mukhedkar, Advocate for applicants

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CORAM : Y. G. KHOBRAGADE, J.

DATE : 10 APRIL 2024

PER COURT :-

1. Heard Mr. Mukhedkar, the learned Counsel for the applicant, at length.
2. Though the respondent Nos. 2 and 3 are duly served, they remained absent. The name of respondent No.1 is deleted as per order dated 02.02.2018.
3. By the present application, the applicants prays for condonation of delay of 1902 days caused while lodging the appeal against the judgment and order dated 25.02.2010, passed

by the learned District Judge-2, Nanded in R.C.A. No.36 and 40 of 1995, arising out of the judgment and decree dated 27.11.2006, passed by the learned 2nd Joint Civil Judge Junior Division, Nanded in R.C.S. No.957 of 2000 (Old R.C.S. No.182 of 1992).

4. It has been canvassed on behalf of the applicants that at the time of filing of the suit, the applicants were minor and due to the communication gap between the applicants and their Counsel, they could not lodge appeal within limitation. The non-applicant Nos. 2 and 3 resisted the cause of condonation of delay. Therefore, considering the explanation given by the applicants in paragraph No.2 of the application, the delay of 1902 days caused while lodging the second appeal, is hereby condoned. No order as to costs.

5. The office to register the second appeal and place before the Court on 12.06.2024, for further consideration.

[Y. G. KHOBRAGADE, J.]

SMS