



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

929 CIVIL APPLICATION NO. 10221 OF 2023
IN SAST/23071/2023

Laxman Dagadu Karande

....Applicant

VERSUS

Namdeo Dagadu Karande & others

.....Respondents

.....

Mr. Sushilkumar Tripathi, Advocate holding for Mr. A. K. Gawali, Advocate
for Applicant

Mr. Umakant Wagh, Advocate for respondent No. 1.

WITH
SECOND APPEAL ST. NO. 23071 OF 2023

CORAM : R. M. JOSHI, J.

DATE : 17th JANUARY, 2024.

PER COURT :

1. This application is for condonation of delay of 49 days in preferring appeal against judgment and decree dated 22nd February, 2023 in RCA no. 308/2018 whereby judgment of partition passed in RCS No. 306/2012 dated 30th April, 2018 came to be set aside.

2. Applicant claims that on account of medical emergency and the difficulties of advocate appearing for the applicant, the second appeal could not be preferred in time. Learned counsel for respondent No. 1 opposed the application. None for other respondents though served.

3. The applicant has sufficiently explained delay caused in filing of the present appeal. No malafides can be attributed to the applicant in not preferring the appeal in time. Hence, application is allowed in terms of prayer clause 'B'. Appeal be registered.

(R. M. JOSHI)
Judge

dyb