



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

931 CIVIL APPLICATION NO. 12072 OF 2021 IN
SAST/23576/2019

Sunita Housrao Kashid

VERSUS

Mahadeo Keshav Kashid And Others

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Advocate for Applicant : Mr. N.P. Bangar

Advocate for Respondent 1 : Mrs. R.S. Bora h/f Mr. S.S. Bora

CORAM : S. G. CHAPALGAONKAR, J.

Dated : November 27, 2024

PER COURT :-

1. Heard Mr. Bangar, learned advocate for the applicant and Mrs. Bora learned advocate appearing for respondent.
2. Mr. Bangar, learned advocate submits that there is delay of 78 days in filing second appeal. Delay is not intentional one. He would submit that due to financial difficulties, applicant could not approach this court in time. The time is consumed in arranging necessary expenses.
3. Learned counsel appearing for the respondent submits that reasons shown in the application does not constitute sufficient cause within the meaning of section 5. Therefore, the application deserves to be dismissed.
4. Having considered the submissions advanced, it is apparent that the dispute pertains to rights over the agricultural land. The applicant appears to be agriculturist and depending upon income from cultivation of the land.

Although, reasons are cryptic in nature, there is no affidavit in reply to counter the same. Even, by considering the days of delay, no prejudice would be caused to the respondents, if such delay is condoned and the appeal is heard on merits. In that view of the matter, case is made out to condone the delay. Hence, the application stands allowed in terms of prayer clause 'B' and **disposed off**. Appeal be registered.

(S. G. CHAPALGAONKAR, J.)

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