



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11933 OF 2019
IN FAST/25152/2019

Punjaram Ramkrishna Patil And Ors

....Applicant

VERSUS

Deepak Subhash Shirpurkar And Anr

....Respondents

....

Ms. Kirti Deshpande h/f Mr. M. M. Bhokarikar, Advocate
for Applicants

Mr. M. R. Deshmukh, Advocate for Respondent No. 2

...

CORAM : R.M. JOSHI, J

DATE : JANUARY 02, 2024

PER COURT :

1. Perused application.
2. Learned Counsel for Applicants submit that Applicants are heirs of deceased. She further submits that owing to the financial condition, Applicants could not prefer Appeal within the period of limitation and hence, delay is sought to be condoned.
3. Learned Counsel for Respondent No. 2 opposed the application by contending that there is no sufficient ground made out for condonation of delay.
4. Perusal of the application shows that

Applicants have assigned specific reason for not preferring Appeal in time. This Court does not find any *mala fides* on the part of the Applicants in not approaching this Court in time. In any case, Applicants would not have gained anything by not approaching this Court in time.

5. In view of above, application stands allowed in terms of prayer clause 'b'. Delay of 146 days stands condoned. Appeal be registered. However, Applicants would not be entitled for any interest for this period, if succeed in Appeal.

(R. M. JOSHI, J.)

Malani