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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4041 OF 2023
IN
SECOND APPEAL (ST) NO. 8033 OF 2023**

Shri Prakash Bapu Ranbagale (Mahar) ... Appellant

Vs.

Shri Prakash Dashrath Patekar & Others ... Respondents

Mr. R. V. Dighe i/b. Mr. Ajay Joshi for the Appellant.

Mr. Mohan C. Kumbhar i/b, Mr. Mukund S. Mone for the Respondents.

CORAM : GAURI GODSE, J.

DATE : 14th OCTOBER 2024

ORDER :

1. This application is for condonation of delay of 48 days in filing the Second Appeal. Due to some technical error the soft copy is not accessible. Learned counsel for the applicant has tendered a hard copy which is taken on record. Learned counsel for the applicant submits that the delay in filing the application is explained in the application. Initially he was not aware about the decision of the First Appeal, however, as soon as he learnt about the decision of the First Appeal he applied for certified copies and has taken steps to file the

Second Appeal. He further submits that there is a delay of about 48 days in filing the appeal.

2. Learned counsel for the applicant submits that though the delay is of 48 days, inadvertently in the application it is stated that the delay is 154 days. He submits that office remark states that there is a delay of 48 days in filing the Second Appeal.

3. Office remark shows that the respondents are served. Learned counsel who appears for respondent no. 1 has not raised any serious opposition for condonation of delay. Rest of the respondents though served are not present to oppose the reasons in the application.

4. I have perused the reasons. The submissions made on behalf of the applicant are also explained in the application. The reasons are justifiable and acceptable. Hence, for the reasons stated in the application delay is condoned and the application is allowed in terms of prayer clause (a).

5. Office is directed to register the Second Appeal and list it for "Admission" on 21st January 2025.

[GAURI GODSE, J.]