



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

63 CIVIL APPLICATION NO. 2049 OF 2017
IN SAST/2555/2017

SUMAN SHIVRAJ SWAMI AND ANOTHER
VERSUS
SANTOSH SHIVRAJ SWAMI AND OTHERS

...
Advocate for Applicant : Mr. Thombre Chandrakant V.
Advocate for Respondent nos. 2 & 3 : Mr. R.V. Gunale h/f Mr. V.D. Gunale
...

CORAM : SHAILESH P. BRAHME, J.

DATE : 03.11.2025

PER COURT :

This Civil Application is for condonation of 223 days in preferring Second Appeal. The learned counsel Mr. Thombre appearing for the applicants submits that applicant no. 2 is legal heir of applicant no. 1 and no separate steps are required to be taken.

2. I have gone through the contents of the application for condonation of delay as well as affidavit in reply of respondent nos. 2 and 3. The delay caused in preferring the appeal has been adequately explained. I propose to adopt pragmatic approach in allowing the application and to consider the merits of the appeal. I do not find any oblique motive on the part of the applicants in preferring the second appeal belatedly.

3. Civil Application is allowed and delay stands condoned.

(SHAILESH P. BRAHME, J.)

mkd/-