



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**910 CIVIL APPLICATION NO. 10709 OF 2018  
IN FAST/5878/2018**

DROPADABAI DAGDUBA JADHAV AND ORS  
VERSUS  
LALIT CHANDRAKANT BORUDE AND ANR

...  
Mr. Jadhav Kailas B., Advocate for Applicants  
Mr. Dawalkar Parikshit P., Advocate for Respondent No.2  
....

**CORAM : SANJAY A. DESHMUKH, J.**

**DATED : 24/01/2025.**

**P. C. :**

1. Learned counsel for applicants / appellants submits that applicant / appellant No.4 has died and seeks leave to delete his name in application as well as in appeal.

2. Leave granted. Amendment be carried out forthwith.

**A) ORDER IN CIVIL APPLICATION NO.10709 OF 2018 :**

1. Heard.

2. This is an application for condonation of delay of 3598 days caused in filing appeal. The learned counsel for respondent No.2 strongly opposed the application.

3. Perused the application. Reasons stated in the para No.2 of the application, it reveals that respondent filed review application

M.A. No.50 of 2010, which was decided on 22/09/2011. Therefore, the delay was caused. It appears that the delay is not deliberately caused. Considering the poor financial position of the applicants, it would not be proper to saddle the cost. Considering the reasons stated in the application, the applications deserves to be allowed. The delay caused in filing first appeal stands condoned. The application is accordingly disposed of.

**B) ORDER IN FAST NO.5878 OF 2018 :**

1. Heard.
2. Issue notice to respondents, returnable on 21/02/2025. The learned counsel Mr. Dawalkar waives service for respondent No.2.
3. Call R & P.

**( SANJAY A. DESHMUKH, J. )**