



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

**CIVIL APPLICATION NO. 8204 OF 2025  
IN CAST/34661/2024  
IN SAST/34648/2024**

**Syed Mahmud S/o Miyanbhai Died Through Legal Representative  
VERSUS  
Babulal S/o Hussainbhai**

Mr. Rodge Akash h/f Mr. Mahesh Kale, Advocate for Applicant

**CORAM : R. M. JOSHI, J.  
DATE : 07<sup>th</sup> August, 2025**

**PER COURT :-**

1. Heard learned counsel for applicant. He submits that the notice was not issued to the respondent at the time of dismissal of Second Appeal Stamp No. 34648/2024 and hence he seeks dispensation of notice to the respondent. It is his further submission that the delay caused in filing of the application is not deliberated and no prejudice will be caused to the other side if delay is condoned. Consequently, appeal filed in time shall indicate intention of the appellant to prosecute the appeal.

2. Perusal of the application shows that the delay has been satisfactorily explained. Hence application stands allowed in terms of prayer Clause "A-1 and B".

3. Learned counsel for the applicant undertakes to remove office objection within a period of two weeks. If objections are removed, office to register the appeal. In failure thereof, appeal shall stand dismissed without further reference to the Court.

**(R. M. JOSHI, J.)**

bsj