



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

**CIVIL APPLICATION NO. 4847 OF 2025
IN
SECOND APPEAL STAMP NO. 7639 OF 2025**

Dilip Vishwanath amale and another .. Applicants

Versus

Gayabai Shivaji Phopse .. Respondent

Shri Shaikh Joyeb Iqbal, Advocate for the Applicants.
Shri Rohit Dhongade, Advocate h/f Shri Sanket S. Kulkarni,
Advocate for the Respondent.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 12TH JUNE, 2025.**

FINAL ORDER :

. Applicants are praying for condonation of delay of (06) six days. Learned counsel for the applicants would press into service the reasons stated in para No. 8 and 9 of the civil application for condonation of delay.

2. Per contra, learned counsel Mr. Rohit Dhongade for the respondent would point out that in fact there is delay of 56 days and no explanation has been tendered for the same. It is contended that deliberately lessor delay is shown in the application.

3. I have considered submissions of the parties. Applicants

have filed second appeal on 16.04.2025. Learned counsel for the respondent is right in contending that it would be delay of about 56 days and not 06 days. Substantive rights of the parties are at stake. Explanation in the application is for only six days. I propose to condone the delay of 56 days in the interest of justice. I do not find any malafides on the part of the applicants in wrongly calculating the days of the delay or filing appeal belatedly. The civil application is allowed by condoning delay of 56 days. Office shall register the second appeal. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/June 25