



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11604 OF 2022  
IN  
FIRST APPEAL (STAMP) NO. 19852 OF 2022

Urmila Laxman Pathare & Ors.

...Applicants

**Versus**

Mayur Travels Prop. Sampat Ganpat Sathe & Anr.

...Respondents

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Mr. Wagh Umakant U., Advocate for the Applicants.

Mr. Abhijit Choudhari, Advocate for Respondent No.2.

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**CORAM : ABHAY J. MANTRI, J.**

**DATE : NOVEMBER 21, 2025**

**PER COURT :**

1. The learned counsel for the applicants/appellants has served notice on respondent No.1. through a daily newspaper, namely Punyanagari, dated 01<sup>st</sup> October 2025, and asked him to appear before this Court on 03<sup>rd</sup> November 2025. Despite the said service, no one appears for respondent No. 1. Hence, the application is proceeded with ex parte against him.

2. The applicants have filed an application for condonation of the delay of 1158 days in filing the First Appeal. Learned counsel for respondent No.2 objected; however, he submitted that, subject to non-payment of the interest for the delayed period, the Court may consider the prayer in application.

3. In response, the learned counsel for the applicants submitted that the applicants are willing to waive the interest for the said delayed

period.

4. Having considered the above submissions and the reasons disclosed in the application, the delay in filing the appeal is condoned.

5. The appeal shall be registered accordingly.

6. Needless to clarify, the applicants are not entitled to interest for the delayed period of 1158 days.

7. In view of the above, the application is allowed.

(ABHAY J. MANTRI, J.)