



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

**916 CIVIL APPLICATION NO. 8817 OF 2025
IN CRAFT/22923/2025**

**NAUNIHAL S/O GULABSINGH JAHAGIRDAR AND ANOTHER
VERSUS
GURUDEEPSINGH S/O GULABSINGH JAHAGIRDAR AND OTHERS**

...
Mr. R. R. Deshpande h/f. Ms. P. R. Deshpande, Advocate for Applicants
Ms. A. S. Jadhav, Advocate for Respondent Nos.1 and 2.

...

**CORAM : AJIT B. KADETHANKAR, J.
DATE : 10.10.2025**

PER COURT :-

1. Feeling aggrieved by the impugned order dated 21.07.2023, passed by the learned 2nd Joint Civil Judge, Senior Division, Nanded, in Special Civil Suit No.15 of 2018 on an application below Exh-151, the applicants have preferred this Civil Revision Application, along with Civil Application seeking condonation of delay of 649 days in filing the same.
2. Mr. Deshpande, learned counsel for the applicants submits that the delay of 649 days has been properly explained in Paragraphs 2 to 10 of the accompanying Civil Application. He submits that the delay is neither deliberate nor willful, nor is it a result of negligence or an attempt to protract the proceedings. He further submits that the Civil Revision Application contains a good case on merits and which deserves adjudication and hence the delay needs to be condoned.
3. Ms. A. S. Jadhav, learned counsel for respondent nos.1 and 2

(contesting respondents) vehemently opposes the application but graciously submits that appropriate orders be passed.

4. I have considered the averments made by the applicants at Paragraph nos.2 to 10 of the Civil Application. It appears that although the applicants were aware of the impugned order, due to multiple proceedings pending between the parties, including withdrawal of certain proceedings, the applicants have stated that there was bona fide delay on their part as to which the proceedings ought to have been adopted by them. The delay does not appear to be intentional, deliberate, or caused due to negligence. Hence I pass the following order :-

ORDER

- a. Civil Application is allowed in terms of prayer clause “B”.
- b. Delay of 649 days caused in filing the Civil Revision Application as against the impugned order dated 21.07.2023 passed below Exh. 151 in Special Civil Suit No.15 of 2018 passed by the learned 2nd Joint Civil Judge, Senior Division, Nanded is condoned.
- c. Civil Revision Application be registered.
- d. Mr. Deshpande, learned counsel for the applicants, graciously submits that the applicants will deposit costs of Rs.2,000/-, to be paid to the **Advocate Association’s Bar Library, High Court, Aurangabad**, for the purpose of rehabilitation of flood-affected areas. The said amount shall be deposited within one week from today.
- e. Civil Application stands disposed of.

CIVIL REVISION APPLICATION STAMP NO.22923/ OF 2025

1. Issue notice to the respondents, returnable on 05.12.2025.
2. Ms. Jadhav, learned counsel waives service of notice for respondent nos.1 and 2.
3. Mr. Deshpande, learned counsel for the applicants seeks permission to serve the remaining respondents through private service and *Humdast*.
4. Applicants are permitted to serve the respondents by all permissible modes of private service and to file affidavit of service to that effect.
5. *Humdast* is permitted.
6. The matter be listed after service of notice is complete. In the meantime, applicants shall take recourse to the provisions enumerated in Chapter II of the Bombay High Court Appellate Side Rules, corresponding to the stage and requirement of matter.

[AJIT B. KADETHANKAR, J.]