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

**CIVIL APPLICATION NO. 11183 OF 2023
IN SAST/26221/2023**

SHEVANTABAI CHIMA TRIMBAKE AND ANR

....Applicant

VERSUS

CHIMA GIRMA TRIMBAKE AND ORS

.....Respondent

.....

Advocate for Applicant : Mr. Vinesh C Solshe

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 3rd JANUARY, 2025.

P.C. :-

By this Application the applicant seeks to condone delay of 157 days caused in filing the Second Appeal. The applicants explain that they are illiterate ladies and unaware about the procedure of law. Applicant No.2 resides at Mumbai since her marriage. Applicant No.1 is an old lady who could not keep track of the matter. There was communication gap between the applicants and their advocate. After getting knowledge, they took necessary steps for filing appeal. Delay caused is unintentional and they have not derived any disadvantage on account of delay.

2. Aforesaid contents are un-controverted.

3. Applicant No.1 is aged about 68 years and dependents on agricultural income. Parties are litigating for civil rights. In that view of

the matter, civil application deserves to be allowed.

4. Civil application is allowed. Delay of 157 days caused in filing second appeal is hereby condoned subject to condition that applicant deposits cost of Rs. 2000/- with the High Court Bar Library within a period of six weeks.

5. Appeal be registered. On registration of appeal, place matter for further consideration on 29th January, 2025.

[S.G. CHAPALGAONKAR, J]

grt/-