



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

943 CIVIL APPLICATION NO. 9865 OF 2024
IN FAST/23073/2024

Uttamrao S/o Vithhaalrao Gadhave

VERSUS

Datta @ Dattatraya S/o Pandurang Tiwari And Anr

...

Mr. Deshmukh Vivekanand B., Advocate for Applicant

Mr. Mohit R Deshmukh, Advocate for Respondent No.2

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 01.04.2026

PER COURT :-

1. Heard.

2. This is an application for condonation of delay of 306 days caused in filing the first appeal.

3. Learned Advocate for respondent No.2 strongly opposed the application and submitted that there is no sufficient reason to condone the delay.

4. Perused the application. For the reasons stated therein, the application deserves to be allowed in the interest of justice as the delay is neither deliberate nor intentional. Hence the following order:

::ORDER::

- a. Civil Application is allowed.
- b. The delay of 306 days caused in filing the first appeal is condoned.
- c. It is clarified that the applicant shall not be entitled to interest and other statutory benefits for the delayed period in case, his appeal is favourably considered.

FIRST APPEAL

1. Issue notice to the respondents, returnable on 17.06.2026.
2. Learned Advocate Mr. Mohit R Deshmukh, waives service of notice for Respondent No.2.
3. Call Record and Proceedings.

[SANJAY A. DESHMUKH, J.]

HRJadhav