



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

**931 CIVIL APPLICATION NO. 12613 OF 2025
IN FAST/33281/2025**

Nanda Shivaji Suryawanshi And Ors.

VERSUS

Balasaheb Shamrao Mule And Anr.

...

Mr. Chavan Prasanna Shankarrao, Advocate for Applicant

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

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 04.02.2026

PER COURT :-

1. Heard.
2. This is an application for condonation of delay of 183 days caused in filing the first appeal.
3. The learned advocate for the applicant submitted that the delay of 183 days caused in filing the first appeal was not deliberate. It occurred because the appellant was unable to manage the expenses required for filing the appeal. Therefore, he prayed to condone the delay.
4. The learned Advocate for respondent No.2 strongly opposed the application and submitted that there is no sufficient

reason to condone the delay.

5. 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 183 days caused in filing the first appeal is hereby condoned.
- c. The application is disposed of.

FIRST APPEAL

1. Issue notice to the respondents, returnable on 06.03.2026.
2. Learned Advocate Mr. M. R. Deshmukh waives service of notice for Respondent No.2.
3. Call for Record and Proceedings.

[SANJAY A. DESHMUKH, J.]

HRJadhav