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

**CIVIL APPLICATION NO.2262 OF 2014
IN
SECOND APPEAL (STAMP) NO.720 OF 2014**

Manikrao Keshavrao Kulkarni and
another.

..Applicants

-Versus-

Rangnath Maruti Bhise.
Deceased. Through L.Rs.
Mudrikabai and others.

..Non-Applicants/ Respondents

.....

Mr.PS.Chavan, Advocate for the Applicants.

Mr.Sachin S. Bhise and Mr.S.B.Bhapkar, Advocates for the Respondent
Nos.1B to 1H.

.....

**CORAM: RAVINDRA V. GHUGE, J.
DATE :- 23rd March, 2015**

Per Court:

1 Heard the learned Advocates for the respective sides.

2 By this application, the Applicants pray for condonation of
delay of 609 days caused in lodging of the Second Appeal. The reasons in
support of the application for condonation of delay are mentioned in
paragraphs 3, 4, 5 and 6.

3 The learned Advocate for Respondents, has vehemently
opposed the application. His contention is that the Respondents have also

filed the Second Appeal challenging the same judgment which is impugned in this Second Appeal. The Applicants have been negligent and they chose to wait. The reasons cited do not support the prayer for condonation of delay.

4 I find that, ends of justice would be met by allowing this Civil Application so that grievance of both the litigating sides can be considered by hearing both the Second Appeals together.

5 In the light of the above, this Civil Application is allowed. The delay of 609 days caused in lodging of the Second Appeal is condoned subject to the Applicants depositing costs of Rs.5000/- (Rupees Five Thousand) in this Court within a period of FOUR WEEKS from today.

6 Failure to deposit the said amount shall result in recalling of this order and the Civil Application shall then stand rejected.

7 After depositing costs, the Second Appeal be registered and further the Respondents are at liberty to withdraw the said amount in equal proportion.

(RAVINDRA V. GHUGE, J.)