

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

**Civil Application No.3828 of 2015
In
Second Appeal Stamp No.8382 of 2015**

Sumanbai w/o Shrirang Patil. **.. Applicant.**

Versus

Prabhu s/o Sharnappa Vishwanath
Sadan Shette And Others. **.. Respondents.**

Shri. V.D. Gunale, Advocate, for applicant.

Shri. Subhash S. Chillarge, Advocate, for respondent No. 1.

CORAM: T.V. NALAWADE, J.

DATE : 14th OCTOBER 2015

ORDER:

1) The application is filed for condonation of delay of 20 days caused in filing second appeal. Respondent No.1, the main contesting party is duly served. Heard learned counsel for the respondent No.1 and the learned counsel for the applicant, appellant. Submission was made by the learned counsel for the

appellant that respondent No.2 is his vendor and he stands in the shoes of the vendor and the vendor is not contesting against his interest so there is no need to serve notice on the vendor. In view of these circumstances and the submissions made, the application is allowed. Delay is condoned. Notice in second appeal. It is waived by learned counsel for respondent No.1.

Sd/-
(T.V. NALAWADE, J.)

rsl