

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

**Civil Application No. 11205 of 2012
In
Second Appeal Stamp No.22303 of 2012
With
Civil Application No.11206 of 2012
And
Civil Application No.3835 of 2015**

Sudam Bhimashankar Khule. .. **Applicant.**

Versus

Vishram Parbat Dighe & Others. .. **Respondents.**

Shri. A.B. Shinde, Advocate, holding for Shri. G.B. Kadlag,
Advocate, for applicant.

Shri. I.S. Thorat, Advocate, for respondents.

CORAM: T.V. NALAWADE, J.

DATE : 2nd SEPTEMBER 2015

ORDER:

- 1) The application is filed for condonation of delay of 124 days caused in filing second appeal. Both sides are heard.
- 2) Learned counsel for the respondents submits that there is concurrent finding and this ground needs to be considered while considering the present application.

In view of the contentions made in the application and in view of nature of dispute, delay needs to be condoned.

3) In the result, the application is allowed and delay is condoned.

4) Notice in appeal and other civil applications. Learned counsel Shri. Thorat waives notice for all respondents except respondent No.8 against whom the matter is already abated. Call record and proceeding from the trial Court and copy of paper book from the First Appellate Court. List the matter for admission purpose on 9th October 2015.

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

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