

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.2828 OF 2013
IN
SECOND APPEAL STAMP NO.28783 OF 2012

SANJAY DATTATRAY KHARDE AND OTHERS

APPLICANTS

VERSUS

KAILASH BHAUSAHEB PATIL (KOLSE)
AND OTHERS

RESPONDENTS

Mr.R.R.Karpe, Advocate for the applicants.

Mr.M.G.Kolse Patil, Advocate for respondent Nos. 1 to 6.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 18/03/2015

PER COURT :

1. By this application, the applicants pray for condonation of delay of 13 days in lodging the second appeal. Explanation is set out in paragraph Nos. 2 and 3 of the application.

2. Mr.Kolse Patil, learned Advocate appearing on behalf of the respondents submit that the applicants have wrongly stated in paragraph No.3 that they are residents of a small village Guha, Tal.Rahuri, Dist.Ahmednagar. In fact the verification indicates that they are residents of Kolhar (Bk.) Tal.Rahata. He opposes the application.

3. In the light of the above and for the reasons set out in the application, the same is allowed. Delay of 13 days is condoned subject to the applicants paying costs of Rs.3,000/- (Rs. Three thousand only). Mr. Kolse Patil graciously agrees to have the said amount donated to the Advocates' Bar Library, High Court, Bench at Aurangabad.

4 In the light of the above, the applicants shall deposit costs of Rs.3,000/- (Rs. Three thousand only) with the Advocates' Bar Library, High Court, Bench at Aurangabad, within a period of 3 (three) weeks from today, failing which this order shall stand recalled and the civil application shall stand rejected. On depositing the said costs, the second appeal be registered.

(RAVINDRA V. GHUGE, J.)