

drp

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

**CIVIL APPLICATION NO. 10485 OF 2014**  
**IN**  
**FIRST APPEAL STAMP NO. 28072 OF 2014**

Sharad Marotirao Kagne

APPLICANT

VERSUS

Bapurao Shankarrao Kare &amp; others

RESPONDENTS

.....

Mr. V. M. Kagne, Advocate for the applicant  
Mr. S. S. Manale, Advocate for respondent No.1

.....

**[CORAM : M. T. JOSHI, J.]**

**DATE : 18<sup>th</sup> FEBRUARY, 2015**

**ORDER :**

1. Heard both the sides. None for respondent No.3, though duly served.
2. It is an admitted fact that the appeal filed by respondent No.3, bearing First Appeal No. 1744 of 2007 is pending in this Court. In the circumstances and as in my view sufficient cause is made out, delay is condoned and the application is allowed, on the condition that the appellant deposits an amount of Rs.25,000/- in this Court, within a period of eight weeks.
3. Upon deposit of said amount, present appeal be registered

and be tagged with connected first appeal No. 1744 of 2007.

4. In case the amount is not deposited, present application shall stand dismissed without further reference to the Court.

5. Stay to the execution of the impugned order is hereby granted until further orders.

**[M. T. JOSHI, J.]**

drp/B14/ca10485-14