

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

**CIVIL APPLICATION NO. 15352 OF 2013
IN
SECOND APPEAL (ST) NO. 32663 OF 2013**

Dashrath Bhika More
(died on 05-03-13 during pendency
of RCA 81/11) & others ... Applicants

Versus

Rekha wd/o Pandurang More
& another ... Respondents

.....
Mr. S.A. Sangwkar , Advocate for Applicants
Mrs. K.P. Mutatkar, Advocate holding for
Mrs. Anjali Dube, Advocate for respondents
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CORAM : RAVINDRA V. GHUGE, J.

DATED : 25th MARCH, 2015

PER COURT :

1. The applicants, by this application pray for condonation of delay of 36 days caused in the lodging of the Second Appeal. The reasons explaining the delay are set out in paragraph Nos. 2, 3 & 4.

2. The learned Advocate for the respondents opposes the application on the ground that the reasons cited do not support the request made for condonation of delay.

3. Having considered the submissions of the rival sides, this Civil Application is allowed. Delay of 36 days is condoned subject to applicants depositing costs of Rs, 5,000/- within a period of five weeks from today. The learned Advocate for the respondents graciously submits that the said costs be donated to the High Court Advocates' Bar Library, Aurangabad.

4. As such, the applicants shall deposit an amount of Rs. 5,000/- only with the High Court Advocates' Bar Library, Aurangabad, within a period of five weeks from today, failing which this order shall stand recalled and application shall stand rejected.

5. Upon depositing costs, the Second Appeal be registered.

(RAVINDRA V. GHUGE, J.)