

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.524 OF 2014

IN

SECOND APPEAL NO.366 OF 2010

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. K.H. Holambe Patil for the Applicant.

Mr. Ashok Pandhire, Advocate i/by Mr.Sanskar Marathe for Respondent Nos. 1 and 2.

CORAM : K.K.TATED,J.

DATE : 15TH SEPTEMBER, 2015.

P.C.

Heard learned counsel Mr. Holambe Patil for the applicant and Mr. Marathe for the respondents. Though the legal heirs of deceased respondents are duly served, no one appeared on behalf of them when the matter is called out.

2) This application is for condonation of 342 days delay in filing the present civil application for setting aside the order dated 25.2.2013 passed by the learned Registrar (Judicial-II) by which the second appeal stands abated against these two respondents.

3) Considering the submissions made by the learned counsel for the applicant and the averments made in the civil application, I satisfied that the applicant has made out the case for allowing the civil application.

4) Hence, the following order.

ORDER

a) Delay of 342 days in preferring the civil application is condoned.

b) The order dated 25.2.2013 passed by the learned Registrar (Judicial -II) is set aside and the second appeal is restored against respondent Nos. 9 and 19.

c) Civil Application stands disposed of accordingly.

(K.K.TATED,J.)

CERTIFICATE

Certified to be true and correct copy of the
original signed Judgment/Order.