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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1343 OF 2015
IN
SECOND APPEAL (STAMP) NO.14578 OF 2003

Hasan Abdul Mulani (since deceased)
through his legal heirs
1(a) Nabilal Hasan Mulani & Ors. ...Applicants
V/s.
Ghudukhan Abdul Mulani (since deceased)
through his legal heirs
1A. Roshan Ghudukhan Mulani & Ors. ...Respondents

Mr.Vinod Sangvikar i/by Mr.Umesh Mankapure for the Applicants.

Mr.Nagesh Chavan for the Respondent Nos.1A to 1G and 2A to 2D.

CORAM : R.D. DHANUKA, J.
DATE : 4TH DECEMBER, 2015.

P.C. :-

1. By this application the applicants seek condonation of delay in filing the civil application and for brining the legal representatives on record of the sole appellant and have also prayed for setting aside of the order dated 6th April, 2005 passed by the Registrar (Judicial-I). No affidavit in reply has been filed by the respondents.
2. Learned counsel for the respondents strongly opposes the relief as prayed on the ground that the applicants have not explained

the delay properly. A perusal of the civil application indicates that the applicants were not aware of the litigation filed by the sole appellant and came to know only when the applicants received a letter from the present advocate informing about the second appeal filed by the predecessor of the applicants.

3. In my view, the applicants have sufficiently explained the reasons for not filing this civil application. The applicants are directed to pay costs of Rs.1000/- to the Kirtikar Law Library within two weeks from today and furnish a copy of receipt before the Registrar of this Court. The applicants are also directed to remove all the office objections within three weeks from today without fail. It is made clear that if the applicants do not pay the costs of Rs.1000/- within two weeks from today and do not remove the office objections within three weeks from today, the order passed today to stand vacated without further reference to the Court and the order passed by the Registrar (Judicial-I) to stand restored without further reference to the Court.

4. The civil application is accordingly made absolute in terms of prayers (B), (C) and (D). No order as to costs.

(R.D. DHANUKA, J.)