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IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1500 OF 2014
IN
SECOND APPEAL STAMP NO. 9681 OF 2014

Sau.Kusum Murlidhar Wade .. Applicant

Vs.

Kolhapur Municipal Corporation .. Respondent

Mr.A.G.Kenjale i/b Mr.Rajesh Dharap, Advocate for the Applicant.

CORAM : R. G. KETKAR, J.
DATE : 24th MARCH, 2015

P.C. :

. Heard Mr.A.G.Kenjale, learned Counsel for the applicant. None appears for the respondent.

2. Perused i) the order dated 05/01/2015 passed by this Court (Coram : R.P.SondurBaldota, J.) ii) report dated 17/01/2015 made by the Registrar (Judicial – I) iii) Oral evidence of the applicant iv) affidavit of the applicant as also v) the order dated 26/03/2010 passed by this Court (Coram : Smt.Nishita Mhatre, J.) in Civil Application No. 1009 of 2010 in First Appeal (Stamp) No. 6382 of 2010. While submitting the report, the learned Registrar (Judicial – I) has considered the provisions of Order 44 Rule 3(1) of the Code of Civil Procedure, 1908 as also relevant material and has submitted report to the effect that applicant has not ceased to be an indigent

person since the date of decree appealed from. There is no reply filed by the opponent.

3. In view thereof and for the reasons stated earlier, Civil Application is allowed in terms of prayer clause (a). The applicant is permitted to sue as an indigent person.

(R. G. KETKAR, J.)