

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.938 OF 2015
IN
SECOND APPEAL (ST). NO.30564 OF 2014**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.Anand Shrikant Kulkarni for the applicant

Mr.S.S.Shah for the respondent no.1

CORAM : K.K.TATED, J.

DATED : 09/10/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 Though respondent nos.2 and 3 are duly served, no one appeared on behalf of the parties when the matter was called out.
- 3 This application is preferred by defenant for condonation of 71 days delay in filing Second Appeal challenging the decree dated 5.5.2014 passed by Appellate Court in Regular Civil Appeal No.37 of 2013.
- 4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for

allowing the present Civil Application. Hence, following order:

- a) Delay of 71 days in filing Second Appeal is condoned.
- b) Civil application stands disposed off accordingly.

(K.K.TATED, J.)

CERTIFICATE

Certified to be true and correct copy of the original
signed order.