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IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 46 OF 2014
IN
SECOND APPEAL STAMP NO. 330 OF 2014

Mrs.Kiriti Shirkant Todkar .. Applicant
Vs.
Bharat Chandrakant Jadhav and others .. Respondents

None for the applicant.
Mr.Mandar Limaye, Advocate for Respondent No.1.

CORAM : R. G. KETKAR, J.
DATE : 17th APRIL, 2015

P.C. :

. None appears for the applicant. Heard Mr.Mandar Limaye, learned Counsel for respondent No.1.

2. Mr.Limaye submitted that respondent No.1- Decree Holder is the contesting respondent and rest of the respondents are the original Judgment Debtors (parents of the applicant). He further invited my attention to the order dated 29/01/2014 passed by this Court in Civil Application No. 47 of 2014 wherein the statement made by Mr.Limaye that decree is already executed was recorded. He has tendered affidavit dated 28/01/2014 made by respondent No.1 which is taken on record and marked 'X' for identification. He assures that he will serve copy of this affidavit on the other side. Mr.Limaye submitted that respondent No.1 has also obtained possession of the property in dispute.

3. Having regard to the fact that this application is for condonation of delay of 65 days in filing the Second Appeal, application is allowed in terms of prayer clause (b) with no order as to costs. Office is directed to register the appeal, if it is otherwise ready.

(R. G. KETKAR, J.)