

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

**CIVIL APPLICATION NO.775 OF 2014
IN
SECOND APPEAL NO.91 OF 2003**

Krishna Bapusaheb Dhanawade .. Applicant.

In the matter of

Yadu Bajirao Jadhav
deceased through L Rs. .. Appellants.

V/s

Bapusaheb Anandrao Dhanawade
deceased through L.Rs. .. Respondents.

Mr. A.N. Nesarikar i/b Mr Damle Vishnu Krishna, for
Applicant.

**Coram : Smt. R.P SondurBaldota, J.
Date : 03rd March, 2015**

P.C.

1. Affidavit of service of the Civil Application is filed. The original appellants are absent despite service. This Civil Application for expeditious hearing of the Second Appeal is filed by the respondents.

2. Mr. Nesarikar, the learned advocate for the applicant points out that the Second Appeal is against concurrent findings of the Courts below. The suit filed by the applicant was for removal of the encroachment in the access of the applicant. Considering the nature of the decree in favour of the applicant and inconvenience caused to them, coupled with the age of some of the applicants, the Civil Application is allowed in terms of prayer -(a). The Office to place the Second Appeal for final hearing on the board of 19th March, 2015.

(Smt. R.P. SondurBaldota, J.)