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IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.615 OF 2015
IN
SECOND APPEAL STAMP NO. 7512 OF 2015

Smt. Khairunbi Shamshuddin Naikwadi ... Applicant

Vs.

Shri Kisan Rangrao Patil and others ... Respondents

Mr.Manoj A.Patil, Advocate for Applicant.

Mr.Abhijit M.Adagule, Advocate for Respondents No.1 & 2.

CORAM : R. G. KETKAR, J.

DATE : 09th APRIL, 2015

P.C. :

. Not on board. At the request of Mr.Manoj A.Patil, taken up in the Production Board.

2. Heard Mr.Manoj A.Patil, learned Counsel for the applicant and Mr.Abhijit M.Adagule, learned Counsel for the respondents No.1 & 2.

3. This is an application for condonation of delay of 18 days in filing the Second Appeal. Mr.Patil states that respondents No.1 & 2 are the only contesting parties being plaintiffs. He is not pressing this application as also appeal against rest of the respondents. He, therefore, orally applies for deleting rest of the respondents.

4. Leave to amend so as to delete respondents No. 3 to 13

is granted. Amendment shall be carried out forthwith.

5. On the other hand, Mr.Adagule submitted that applicant has not made out a sufficient cause for condoning the delay.

6. Having regard to the fact that delay is of 18 days as also for the reasons stated in the application, Civil Application is allowed in terms of prayer clause (a) with no order as to costs. Office is directed to register the appeal, if it is otherwise ready.

7. In view thereof, list the appeal for admission on 27/04/2015.

8. In the meantime, applicant will remove office objections including that of payment of deficit Court fee of Rs.1,860/-.

(R. G. KETKAR, J.)