

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

**CIVIL APPLICATION NO.1799 OF 2010
IN
SECOND APPEAL (ST.)NO.6959 OF 2008
ALONG WITH
CIVIL APPLICATION NO.633 OF 2008
AND
CIVIL APPLICATION NO.634 OF 2008**

Abdul Rehman Usman Kadu & Anr. ... Applicants

V/s.

Begum Dadu Kadu & Ors. ... Respondents

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Mr.Vijay Gharat, Advocate for the Applicants.

Mr.Subhash Gutte h/f. Dr.Ramdas Sabban, Advocate for Respondent No.6.

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CORAM : R.K. DESHPANDE, J.

DATED : JULY 20, 2015.

P.C.

Second Appeal was filed after not even a delay of 214 days along with the application for condonation of delay. It was dismissed on 29th August, 2008, for non-compliance of the conditional order dated 24th March, 2008, passed by this Court. The application for restoration along with the prayer for condonation of delay was filed on 31st July, 2010. In this

application, the number of days delay caused in filing the application for restoration has not been stated. It is also not stated that Second Appeal was filed along with the application for condonation of 214 days delay. There is a delay of 695 days caused in filing the application for restoration. This application is shorn on material facts and all details and particulars. There is absolutely no explanation given for the delay of 695 days. The application is, therefore, dismissed.

2 The application for condonation of delay in filing the Second Appeal is also stands dismissed.

3 In view of the aforesaid order, none of the civil applications pending survive and same stands disposed of.

JUDGE