

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

**CIVIL APPLICATION NO.2053 OF 2012
IN
SECOND APPEAL (ST) NO.28390 OF 2012**

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.Pralhad D. Paranjape, Advocate for Applicant.

Mr. Harshad Sathe, Advocate for Respondents no.1 and 2.

CORAM : R.G.KETKAR,J.

DATE : 27/03/2015

PC:

1. Heard Mr. Pralhad Paranjape, learned counsel for the applicant and Mr.Harshad Sathe, learned counsel for respondents no.1 and 2.

2. Office remark shows that Civil Application is dismissed against respondents no.3,5,6,7A to 7D and 9. Mr Paranjape states that only respondents no.1 and 2 are contesting respondents in this Appeal, being subsequent purchasers-appellants in District Court.

3. Mr. Paranjapade states that for the reasons stated in paragraphs 4 and 5 of the application, delay of 94 days in filing the Appeal, deserves to be condoned. Mr Sathe opposes this and states no sufficient cause is explained.

4. Having regard to shortness of delay and for the reasons stated in paragraphs 4 and 5 of the application, Civil Application is allowed in terms of prayer clause (a) with no order as to costs. Office is directed to register Appeal, if it is otherwise ready. It is expressly made clear that the Appeal shall proceed only against respondents no.1 and 2.

(R.G.KETKAR, J.)