

Ingale

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1556 OF 2013

IN

SECOND APPEAL NO. 688 OF 1989

Ganpati Tavanapa Gadkari (since deceased through Lrs.)
Smt.Neelabai Shrikant Vagane and others .. Applicants

Vs.

Ilai Usman Attar(since deceased through Lrs.)
Smt.Ashabi Ilai Attar (since deceased through Lrs.)
Shri Ramzan Ilai Attar and another .. Respondents

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. Sagar Mane i/b Mr.N.V.Bandiwadekar, Advocate for the Applicants.

Mr.Sandeep Koregave, Advocate for the Respondents No.2 & 3.

CORAM : R.G.KETKAR, J.

DATE : 17th APRIL,2015

PC.

. Heard Mr. Sagar Mane, learned Counsel for the applicants and Mr.Sandeep Koregave, learned Counsel for respondents No.2 & 3.

2. This is an application for recalling order dated 22/09/2004 after condoning the delay of 8 years and 363 days in filing the Civil Application.

3. By order dated 22/09/2004, applicants were given 2 weeks time for filing synopsis including the documents relied upon, legal submissions and rulings relied upon, failing which the matter was to

stand dismissed. Mr.Mane assures that after restoration of the Second Appeal, he will comply the order within 6 weeks. Mr.Koregave submits that no sufficient cause is made out for condoning the delay.

4. Having regard to the fact that Second Appeal was admitting after hearing both sides, application deserves to be allowed subject to imposing costs. Hence, Civil Application is allowed in terms of prayer clause (a) subject to payment of costs of Rs.1,000/- to respondents No. 2 & 3. Costs shall be paid within 2 weeks from today.

5. Time stipulated in the conditional order dated 22/09/2004 is extended by 8 weeks from today.

6. In the meantime, there shall be ad-interim order in terms of prayer clause (i) of Civil Application No. 5992 of 1989.

(R.G.KETKAR, J.)