

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

22 CIVIL APPLICATION NO. 1663 OF 2010
IN SAST/2010/2010

BHAUSAHEB LAXMAN MANDLIK
VERSUS
SMT JIJABAI BHAUSAHEB MANDLIK AND ORS

Shri. R.D. Bhalerao, Advocate, for applicant.

CORAM: T.V. NALAWADE, J.

DATE : 1st APRIL 2016

ORDER:

1) The application is filed for condonation of delay of 3 days caused in filing second appeal against judgment and decree of the first appeal. Present applicant was defendant in maintenance suit. Original plaintiff Nos.2 and 3 are not served in the present matter. Learned counsel submits that even after taking all the steps the appellant could not get address and they could not be served. So these two respondents can be deleted and the present matter can be considered as against respondent No.1 Jijabai. Jijabai is represented by one counsel as she

is served. Delay of 3 days only is caused in filing second appeal. In view of the contentions made in the application and the submissions made, Civil Application No. 1663 of 2010 is allowed only against Jijabai and the delay is condoned.

2) Notice in second appeal only against Jijabai made returnable on 28th June 2016.

(T.V. NALAWADE, J.)

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