

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

**57 CIVIL APPLICATION NO. 4136 OF 2016
IN
SAST/8994/2016
WITH
CA/4137/2016
IN
SAST/8994/2016**

**DEVIDAS BUDHAJI HAMBARDE
AND OTHERS**

VERSUS

**SMT. CHIOUTRABAI VIKARAM
SURYAWANSHI AND OTHERS**

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Mr. V.V.Bhavthankar, Advocate for Applicants.

Mr. A.U.Patil, Advocate for R – 1.

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CORAM : T.V.NALAWADE, J.

DATE : 13th JUNE, 2016

ORAL ORDER :-

. The application is filed for condonation of delay in filing Second Appeal by the purchaser. Heard both sides.

2. In view of the contentions and the submissions made, this Court holds that sufficient cause is shown. However, respondent No. 1 is required to spend on the present proceeding and so she needs to be compensated by

paying some costs.

3. Civil Application is allowed subject to costs of ₹ 3,000/- [Rupees Three Thousand] by the applicant to respondent No. 1/original plaintiff. The amount is to be deposited in the Court prior to 30/06/2016. If the amount is not deposited, it is to be presumed that the application is rejected.

[T.V.NALAWADE, J.]