

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

**CIVIL APPLICATION NO. 5581 OF 2016
IN
SECOND APPEAL NO. 270 OF 1990**

Bhairu (L.Rs.) Manik Bhairu
Jagtap & Ors.

..... APPLICANTS

V E R S U S

Rajendra Balbhim Kinikar

..... RESPONDENT

.....

Mrs. M.A.Kulkarni, Advocate for applicants.

Mr. M.B.Kolpe h/f Mr. S.K.Shelke,
Advocate for Respondent.

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CORAM : T.V.NALAWADE, J.

DATE : 29th APRIL, 2016

ORAL ORDER :-

. The application is filed for setting aside the order passed by this Court on 29/10/2015.

2. The submissions made and the contentions show that the learned counsel is taking blame to herself. The delay of 130 days is caused in filing the application and for that learned counsel is taking blame to herself.

3. In view of the circumstances, this Court holds that the delay deserves to be condoned. The order of dismissal dated 29/10/2015 is set aside. Second Appeal is restored to its original position.

4. List the matter for final hearing on 23/06/2016.

[T.V.NALAWADE, J.]