

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

934 CIVIL APPLICATION NO. 7870 OF 2007
IN SA/403/2002

SMT.KASTURABAI RAMDAS SHIMPI AND ORS
VERSUS
MAHIPAT PARASHRAM TAGWALE & ORS

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Advocate for Applicants : Sanket S Kulkarni

CORAM : T.V. NALAWADE, J.
DATED : 10th June, 2016.

ORDER :

1. The application is filed for condonation of delay of 33 days caused in filing the review application. The applicants, original plaintiffs, appellants in second appeal wants to review the order made by this Court on 21.6.2007 in Second Appeal No. 403/2002. For getting condonation of delay, the applicants have not only required to show sufficient cause, but also to show that there is some case for argument in review application.

2. This Court has gone through the order made by this Court by which second appeal came to be dismissed. Relevant points are discussed by this Court. Now it is submitted that the necessity of reference to the Tenancy Court ought to have been considered. This point was not argued and that can be seen from the record. Further, in view of the nature of dispute, there was

no question of making such reference. Both the Courts below have given concurrent finding and it is already held that the suit was not within limitation. In view of these circumstances, there is virtually no case for applicants to argue in review application. This Court holds that sufficient cause is also not shown. So, the application stands rejected.

[T.V. NALAWADE, J.]

ssc/