

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

928 CIVIL APPLICATION NO. 9459 OF 2016
IN RAST/18848/2016 WITH CA/9460/2016 IN
RAST/18848/2016

DAGDU SATWAJI SAKHARE
VERSUS
NARSU NAMDEO DEHADRAI DIED LRS ALKA AND ORS

Shri. P.R. Katneshwarkar, Advocate, holding for Shri.
Sandip R. Andhale, Advocate, for applicant.

CORAM: T.V. NALAWADE, J.

DATE : 5th JULY 2016

ORDER:

1) Heard learned counsel for the applicant. The application is filed for condonation of delay of 246 days caused in filing review application against the judgment delivered by this Court in Second Appeal No.101/1993. The second appeal of the present applicant, original defendant is dismissed. This Court has considered all the relevant points. The main point was right of the defendant to claim protection of section 53A of the Transfer of Property Court. This court has considered all the relevant circumstances and has held that the

defendant has failed to show that he is ready and willing to perform his part of contract. There is virtually no arguable case in the review application and so the application for condonation of delay does not deserve to be allowed. Sufficient cause is also not shown. The application stands rejected. Other civil applications disposed of.

Sd/-
(T.V. NALAWADE, J.)

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