

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1339 OF 2016
in
SECOND APPEAL (ST.) NO.4164 OF 2016**

Namdev Chendu Shelke .. Applicant
Vs.
Parsharam Karbari Shelke & Ors. .. Respondents

Mr.S.P. Dighe for the Applicant.
Mr.S.M.Sabrad for the Respondent nos.1, 4 & 5.

CORAM : R.D. DHANUKA, J.
DATE : 23rd November 2016

P.C.

. By the civil application, the applicant seeks condonation of delay of 13 days in filing the second appeal. No affidavit-in-reply is filed.

2. I have heard the learned counsel for the applicant and the respondent nos.1, 4 & 5. I have perused the averments made in the civil application. I am satisfied that the applicant has satisfactorily explained the delay in filing the second appeal. In my view, the applicant has made out a case for condonation of delay in filing the second appeal.

3. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clause (b). No order as to costs.

R.D. DHANUKA, J.