

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

*CIVIL APPLICATION NO.342 OF 2015
IN
SECOND APPEAL (ST) NO.5252 OF 2013*

Sou. Indubai Babasaheb Patil
Since Deceased thru' legal heirs
Nilesh B. Patil and Ors. ... Applicants.

V/s.

Smt. Kanchan V. Salokhe & Ors. ... Respondents.

Mr. Datta Pawar, Advocate for the Applicants in all CAs.
Mr. Manoj Patil, Advocate for the Respondent Nos.1 to 3.

***CORAM : N.M. Jamdar, J.
Friday 17 June, 2016.***

P.C. :-

The application is taken out for bringing the legal heirs of the appellant on record. Notice has been issued. The learned counsel for the Applicant states that all respondents are served and affidavit of service is filed. Perused the application. Cause made out therein being sufficient, the Civil application is allowed in terms of prayer clauses (a), (b) and (c). Amendment to the appeal

memo and the civil application for condonation of delay be carried out forthwith.

(N.M. Jamdar, J.)

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

*CIVIL APPLICATION NO.506 OF 2013
IN
SECOND APPEAL (ST) NO.5252 OF 2013
WITH
CIVIL APPLICATION NO.342 OF 2015
WITH
CIVIL APPLICATION NO.507 OF 2013*

Sou. Indubai B. Patil
Since deceased thru legal heirs ... Applicants.

V/s.

Smt. Kanchan V. Salokhe & Ors. ... Respondents.

Mr. Datta Pawar, Advocate for the Applicants in all CAs.
Mr. Manoj Patil, Advocate for the Respondent Nos.1 to 3.

***CORAM : N.M. Jamdar, J.
Friday 17 June, 2016.***

P.C. :-

The civil application is filed for condoning the delay in filing the second appeal. Notice has been issued. The learned counsel appears for the respondent nos.1 to 3. As regards the other respondents, learned counsel for the applicants states that the other respondents have served and affidavit of service is already filed. In view of

the statement, application is taken up for hearing. Perused the application. The applicants seek to condone the delay of 330 days in filing the appeal. The learned counsel for the respondent nos.1 to 3 states that the application be dismissed but no reply is filed. For the reasons which are given in paragraphs 9 to 11 which constitute sufficient cause for the absence of any reply contravening the same, civil application is allowed in terms of prayer clause (a). Place the appeal on board as per C.M.I.S. date after all office objections are removed.

(N.M. Jamdar, J.)