

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

***CIVIL APPLICATION NO. 1194 OF 2012
IN
SECOND APPEAL NO. 363 OF 2014***

Chandrakant Daulat Baraskar

... Applicant

v/s

Shri Ganpat Shankar Baraskar

(since deceased through heirs)

A. Smt.Kamal Ganpat Baraskar & ors.

... Respondents

Mr.Sachindra Shetye for the applicant.

Mr.Aniket Ranade for Resp. Nos.1a to 1F, 2, 3A to 3G and 4.

Coram: N.M. Jamdar, J.

Dated: 4 May 2016

P.C.:

Learned counsel for the Applicant points out that, by an order dated 26 July 2015, the appeal is already admitted. There is some dispute as to whether the delay in filing the second appeal was condoned by an order dated 20 June 2014 or it was delay in restoration application. Keeping the said controversy aside, the civil application is taken up for consideration. The delay is of 48 days'. Sufficient cause is made out. As stated earlier, the appeal is already admitted.

2 The civil application is allowed in terms of prayer clause (a).

(N. M. JAMDAR, J.)