

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

*CIVIL APPLICATION NO.707 OF 2016
IN
CIVIL APPLICATION NO.1158 OF 2015
IN
SECOND APPEAL (L) NO.16678 OF 2015*

Mr. Janu Dama Patil Applicant.

V/s.

Smt. Janki Rama Patil and Anr. ... Respondents.

Mr. Sagar Talekar, Advocate for the Applicant in three applications and Appellant.

Mr. S.V.Gavand with Ms. Savita Yadav, Advocate for the Respondent No.2..

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

P.C. :-

Not on board. Taken on board, during the hearing of Civil Application No.1158 of 2015.

2. The civil application is taken out for setting aside the order passed by the Registrar (Judl) and to delete the name of the Respondent No.1. After the respondent no.1 expired, since no steps were taken,

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Registrar (Judl.) passed an order that the civil application for condonation of delay stood abated as against the respondent no.1. It is stated by the applicant that the Respondent No.2, who is only heir of the Respondent No.1, is already on record. Appearance is filed for the Respondent No.2. Considering the facts and circumstances narrated in the application, civil application is allowed in terms of prayer clauses (a) and (b). Amendment to be carried out forthwith.

(N.M. Jamdar, J.)

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

*CIVIL APPLICATION NO. 1158 OF 2015
IN
SECOND APPEAL (L) NO.16678 OF 2015
WITH
CIVIL APPLICATION NO.1159 OF 2015*

Janu D. Patil ... Applicant.

V/s.

Sudam Rama Patil ... Respondent.

Mr. Sagar Talekar, Advocate for the Applicant in three applications and Appellant .

Mr. S.V.Gavand with Ms. Savita Yadav, Advocates for the Respondent No.2.

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

P.C. :-

Application is taken out for condonation of delay of 86 days. Perused the application. Sufficient cause is made out. No reply is filed. Application is allowed in terms of prayer clause (a). As regards the prayer clause (b), it is open to the applicant to take out separate

application.

2 Place the appeal on board as per the C.M.I.S. date. In the meanwhile, partition proceedings to go on, if the stage for handing over possession is reached earlier, liberty to the parties to apply for an earlier date.

(N.M. Jamdar, J.)