

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

***CIVIL APPLICATION NO. 1683 OF 2014
IN
SECOND APPEAL (ST) NO. 12931 OF 2008***

Sitaram Gopal Gujar

(since deceased, through heirs)

1 A. Sadanand Sitaram Gujar & ors. ... Applicants

v/s

Shri Balaram Goipal Gujar

(since deceased, through heirs)

Shri Raghunath Balaram Gujar & ors. ... Respondents

Mr.R.S.Sawant i/by Vilas Mali for the applicants.

Mr.S.R.Kamble along with S.S.Karkare for the respondents.

Coram: N.M. Jamdar, J.

Dated: 29 July, 2016

P.C.:

On 8 July 2016, the following order was passed :

'P.C.:

- 1. The delay sought to be condoned in this appeal is of 33 years and 359 days. None appears for the Applicants.*
- 2. Place the civil application under the caption 'for Dismissal' on 29 July 2016.'*

2 The delay in filing the appeal is almost of 34 years. The board is notified a week in advance and all facilities are provided to the advocates and litigants to follow the progress of the matter, yet, even when the application is listed for dismissal, request is made for an adjournment. I have gone through the application. The application is bereft of any particulars whatsoever. The judgment and decree was passed on 16 August 1974. It is stated in that application itself that certified copy was applied on 16 April 2008, which was delivered on 16 April 2008. In the application the Applicant has stated that, assuming there is a delay in filing the second appeal, it may be condoned. Such application which is bereft of any particulars, cannot be entertained. No cause is made out to challenge the delay of 34 years.

3 The civil application is rejected.

(N. M. Jamdar, J.)