

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

***CIVIL APPLICATION NO. 1626 OF 2014
IN
SECOND APPEAL (ST) NO. 13611 OF 2014***

Shantabai Shripathi Ombale & anr. ... Applicants

v/s

Chandrabai Vitthal Ombale & ors. ... Respondents

Mr.Satyajeet Rajeshirke for the applicants.

Mr.Harshad Shingnapurkar i/by Amit Borkar for Resp.No.1.

Mr.Kishor Tembe for Resp. No.4.

Coram: N.M. Jamdar, J.

Dated: 29 July, 2016

P.C.:

The application is filed for condonation of delay of one year and 116 days in filing the second appeal. Notices have been issued on 19 December 2014. Notices have been served on the Respondents. The Vakalatnama on behalf of the Respondents has been filed in March 2016. On 1 July 2016, learned counsel for Respondent No.1 sought time to file reply. Till date no reply is filed.

2 I have gone through the application. The detailed reasons are given in paragraphs 6 and 7 of the application. The Applicants, husband and wife, are senior citizens. The reasons stated is of their medical condition wherein the Applicant No.1 has suffered two heart attacks. Considering these averments which have gone uncontroverted and which constitute sufficient cause, the application is allowed in terms of prayer clause (a).

3 Place the appeal on board as per its C.M.I.S. date, after all office objections are removed.

(N. M. Jamdar, J.)