

Sequeira

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

*CIVIL APPLICATION NO. 1603 OF 2014
in
SECOND APPEAL (St.) NO. 13614 OF 2014
Along with
CIVIL APPLICATION NO. 1604 OF 2014*

Shantabai Shripathi Ombale & anr. .. Applicants / Appellants

Vs.

Chandrabai Vitthal Ombale
Since deceased through his legal heirs-
Sundarabai Shripathi Mankumbare
Since Deceased through legal heirs
and representatives-
2A Shri Shripati Bapu
Mankumbare & ors.

.. Respondents

Mr.Satyajeet Rajeshirke, for Applicants in both Civil Applications /
Appellants.

Mr.Sharad Bhosale i/b Mr.Dilip Bodake, for Respondent No.3.

Mr.Rajesh Khandelwal i/b Mr.Kishor Tembe, for Respondent No.4.

*CORAM : N.M.Jamdar, J.
Friday, 5 August 2016.*

P.C. :

Heard learned counsel for the parties. Perused the reply.

2. The Civil Application No.1603 of 2014 is filed for condonation of delay of one year and 116 days in filing the Second Appeal. The reason stated in the Application is the advanced age of both the Appellants who are husband and wife and various ailments from which they suffer. The learned counsel for the Applicants has placed on record the copy of the order passed in C.A No.1626 of 2014 in Second Appeal (Stamp) No.13611 of 2014. He states that this Second Appeal also challenges the very same judgment and order passed by the District Court, Satara.

3. Perused the order passed on 29 July 2016. Same reason given in the present application was also the reason given in the Civil Application No.1626 of 2014 and it is found sufficient. In view of this position, the Civil Application No.1603 of 2014 is allowed. Place the Second Appeal (Stamp) No.13611 of 2014 along with Second Appeal (St.) No.13614 of 2014, when the same is due. All office objections to be removed before the next date.

(N.M.Jamdar, J.)