

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

**CIVIL APPLICATION NO. 1122 OF 2016
IN
SECOND APPEAL (STAMP) NO. 16022 OF 2016**

Smt.Kusum @ Kumud Hari Gore & Ors. .. Applicants
In the matter between
Smt.Kusum @ Kumud Hari Gore & Ors. .. Appellants
 Vs.
Smt.Shantabai Govind Waghmode & Ors. .. Respondents

Mr.Sharad Bhosale for the Applicants/Appellants.
None for the Respondents.

CORAM : R.D. DHANUKA, J.
DATE : 2nd September 2016

P.C.

. The respondents were served by private notice pursuant to the liberty granted by this Court. The respondent no.1 who is contesting respondent has been served. The respondent no.2 has refused to accept the service. Learned counsel for the applicants undertake to file affidavit of service within one week from today.

2. By this civil application, the applicants seek condonation of delay of 529 days in filing the second appeal.

3. I have heard learned counsel appearing for the applicants and have perused the averments made in the civil application. I am satisfied that the delay is satisfactorily explained.

4. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clause (a). The delay of 529 days in filing the second appeal is condoned. No order as to costs.

R.D. DHANUKA, J.