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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1208 OF 2016
IN
SECOND APPEAL NO.410 OF 2012

Hanmant N. Kirdat	...Applicant
V/s.	
Gangubai L. Kirdat & Ors.	...Respondents

Mr.Manoj Patil for the Applicant.

Mr.Smit Nagda i/b Mr.Anilkumar Patil for the Respondent No.1.

Mr.Ashish Pawar for the Respondent Nos.2 to 4.

CORAM : R.D. DHANUKA, J.
DATE : 16TH SEPTEMBER, 2016.

P.C. :-

1. By this civil application, the applicant seeks condonation of delay of 228 days in filing the civil application and seeks restoration of the second appeal along with the civil application which are dismissed for default by a order dated 20th October, 2015. No affidavit in reply has been filed by the respondents.

2. I have heard the learned counsel appearing for the applicant and for the respondents. Learned counsel appearing for the respondents have no objection if the delay is condoned and the second appeal along with civil application are restored to file. The

statement is accepted.

3. The order dated 20th October, 2015 passed by this Court is accordingly recalled. Second Appeal No.410 of 2012 along with Civil Application No.779 of 2012 are restored to file.

4. Place Second Appeal No.410 of 2012 along with Civil Application No.779 of 2012 on board for admission on 3rd October, 2016.

5. Civil Application No.1208 of 2016 is disposed of in aforesaid terms. No order as to costs.

(R.D. DHANUKA, J.)