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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1103 OF 2016
IN
SECOND APPEAL (STAMP) NO.18603 OF 2016

Baban V. Khandave & Anr.	...Applicants
V/s.	
Mrs.Hema D. Choudhari & Ors.	...Respondents

Mr.R.S. Apte, Senior Counsel i/b Mr.Ravindra Pachundkar for the Applicants.

Mr.Pratap Patil for the Respondent No.1.

Mr.Ketan Dhavle for Respondent Nos.6 and 7.

CORAM : R.D. DHANUKA, J.
DATE : 7TH DECEMBER, 2016.

P.C. :-

1. By this civil application, the applicant seeks condonation of delay of 2 years and 140 days in filing the second appeal.
2. I have heard Mr.Apte, learned senior counsel for the applicants and Mr.Patil, learned counsel appearing for the respondent no.1 and have perused the averments made in the civil application and also the averments made by the respondent no.1 in the affidavit and additional affidavit. In paragraphs 11 to 14 in the civil application, the applicants have satisfactorily explained the delay in filing the

second appeal.

3. In my view, there is no substance in the objections raised by the learned counsel for the respondent no.1 in the affidavits filed in this civil application.

4. I therefore, pass the following order :-

a). The civil application is made absolute in terms of prayer clause (d). The delay in filing the second appeal is condoned. No order as to costs.

b). Place the second appeal on board for admission on 14th December, 2016.

(R.D. DHANUKA, J.)