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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1939 OF 2012
IN
SECOND APPEAL (STAMP) NO.24146 OF 2012

Laxmibai R. Ubale & Ors. ...Applicants
V/s.
Dagadu M. Lokhande & Ors. ...Respondents

Mr.Siddheshwar B. Kalel for the Applicants.

Mr.S.P. Rajepandare i/b Mr.Ajay Joshi for the Respondent Nos.3 and 4.

CORAM : R.D. DHANUKA, J.
DATE : 26TH AUGUST, 2016.

P.C. :-

1. By this civil application, the applicants seek condonation of delay of 81 days in filing the second appeal. No affidavit in reply has been filed by the respondents though served. A perusal of the civil application indicates that the delay is not fully and satisfactorily explained. Interest of justice would be met with if the delay is condoned subject to costs of Rs.2500/- which shall be paid by the applicants to the respondents within two weeks from today as and by way of condition precedent.

2. I, therefore, pass the following order :-

a). Civil Application No.1939 of 2012 is made absolute in terms of prayer clause (A). The delay of 81 days in filing the second appeal is condoned on payment of costs of Rs.2500/- which shall be paid as and by way of condition precedent. All the applicants are directed to remove the office objections within two weeks from today without fail. If all the office objections are removed within two weeks from today, place the second appeal on board for admission on 26th September, 2016.

(R.D. DHANUKA, J.)