

Sequeira

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

WRIT PETITION NO. 9190 OF 2012

Shri.Mahadeo Shankar Gurav .. Petitioner.

Vs.

Shri Ganpati Shankar Gurav & ors. .. Respondents

Mr.V.S.Talkute, for the Petitioner.

Mr.Dhananjay Rananavare, for Respondent No.1.

***CORAM : N.M.Jamdar, J.
Thursday, 22 September 2016.***

P.C. :

The learned counsel for the Respondent No.1 points out that a second appeal is maintainable against the impugned order. The learned counsel for the Petitioner states that inspite of the availability of second appeal this Court should consider the merits of the impugned order as the extent of delay is of 40 days. Learned counsel for the Respondent -decree holder has opposed grant of such relief in this Petition. In the circumstances, since the remedy of second appeal is available to the Petitioner, the Writ Petition need not be entertained and it is accordingly disposed of. Liberty to the Petitioner to file appropriate proceedings. In the circumstances, the ad-interim order granted in this Petition to continue for a period of six weeks.

(N.M.Jamdar, J.)