

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.57 OF 2014
IN
SECOND APPEAL NO. 98 OF 2011

Shankar Bhika Wagh & Ors. Applicants

VERSUS

Smt.Parvatabai Pandharinath Jadhav & Ors. Respondents

Mr.Tushar Khairnar, i/b. Mr.Sandip Shinde for the Applicants.

Mr.Girish Agrawal for the Respondent nos. 2 and 3.

CORAM : R.D. DHANUKA, J.

DATE : 30th NOVEMBER, 2016

P.C.

By this civil application, the applicant seeks condonation of delay of 249 days in filing the present civil application and seeks restoration of the second appeal which is dismissed by an order dated 4th March, 2013 for want of prosecution.

2. I have heard the learned counsel appearing for the parties. In my view the applicants have made out a case for the reliefs as prayed in prayer clauses (b) and (c) of the civil application. I, therefore, pass the following order :-

Civil application is made absolute in terms of prayer clauses (b) and (c). There shall be no order as to costs.

3. Place the Second Appeal No.98 of 2011 on board for admission on 5th December, 2016.

(R.D.DHANUKA, J.)