

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

**CIVIL APPLICATION NO.656 OF 2016
IN
SECOND APPEAL (STAMP) NO.35037 OF 2015**

Shri Bajrang Bandu Borate & Ors. .. Applicants
Vs.
Sou. Rucha Kishor Shinde & Ors. .. Respondents

Mr. Prabhanjan Gujar for Applicants.
Mr. V. P. Gaikwad for Respondent Nos.1, 2A to 2D and 3.

CORAM : R.D. DHANUKA, J.
DATE : 2nd September 2016

P.C.

. By this civil application, the applicants seek condonation of delay of 1 year and 187 days in filing the second appeal.

2. I have heard the learned counsel appearing for the applicants and the respondent nos.1 to 3 and have perused the averments made in the civil application and also the affidavit-in-reply filed by the respondent no.1.

3. Learned counsel appearing for the respondent no.1 states that the delay is not properly explained in the civil application by the applicants.

4. A perusal of the avements made in the civil application indicates that the applicants have rendered reasons for explaining the delay of 1 year and 187 days. The reasons are however not fully satisfied.

In the interest of justice, on payment of cost of Rs.2,500/- to be paid by the applicants to the Kirtikar Law Library within two weeks from today, and for the reasons recorded in the civil application, the delay of 1 year and 187 days in filing the second appeal is condoned. Receipt of payment of Rs.2,500/- of the Kirtikar Law Library shall be shown to the learned Registrar of this Court within two weeks from the date of payment.

5. Civil application is made absolute in aforesaid terms.

6. The applicant shall remove all office objections within two weeks from today failing which the second appeal shall stand dismissed without further reference to the Court. If all office objections are removed and the second appeal is numbered, place the second appeal on board for 'Admission' on 10th October 2016.

R.D. DHANUKA, J.