

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 10191 OF 2016
IN
SECOND APPEAL (ST.) NO. 4342 OF 2016**

Sharda w/o Balaji Nimbalkar,
Age: 55 years, Occu: Household,
R/o: Mangwadgaon, Tq. Kaij,
Dist. Beed

..APPLICANT

VERSUS

Maruti s/o Prasaram Jogdand,
Age: 52 years, Occu: Agri.,
R/o: Yewta, Tq. Kaij,
Dist. Beed & ors.

..RESPONDENTS

Mr M. M. Patil (Beedkar), Advocate for applicant;
Mr P. H. Sukale, Advocate holding for Mr K. J. Suryawanshi, Advocate for
respondent No.1

CORAM : N.W. SAMBRE, J.

DATE : 23rd June, 2017

ORAL ORDER

This is an application for condonation of delay of 967 days caused in filing second appeal.

2. The relation between applicant and respondents that of sister and brother is not disputed. After the 1994 State amendment to the Hindu Succession Act, the entitlement of married sister to the share in property in the state of Maharashtra is an issue, which is required to be appreciated.

(2)

3. The learned appellate Court has not carved out any share in favour of the applicant and the applicant, within reasonable period has raised objection to that effect in the execution proceedings. As such, the delay stands condoned.

Civil Application stands allowed.

(N.W. SAMBRE, J.)

sjk