

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

CIVIL APPLICATION NO. 4018 OF 2014

IN SA/80/1991

WITH SA/188/1991 WITH CA/7229/2015 IN SA/188/1991

SYED MAJEED SYED ALI
VERSUS
SIRAJ AHMED HAJI GULM MOHAMMED AND OTHERS

...
Advocate for Applicant : Mrs. A.N.ansari
Mr. C R Deshpande, advocate For R/1 To 4
.....

CORAM : NITIN W.SAMBRE, J.

DATE : 24th November, 2017

PER COURT : -

This is an application for restoration of Second Appeal and condonation of delay in preferring such application.

2. The prayer is opposed by the learned counsel Mr. Deshpande for the respondents, on the ground that the delay is not properly explained, considering the fact that when the appeal was dismissed, after the admission the same was pending for final hearing.

3. Apart from above, the applicant has failed to explain the delay, may be day-to-day, however, present applicant can be put to condition for condoning delay of 1736 days in preferring application for restoration of appeal.

4. Application stands allowed, subject to applicant paying costs of Rs.2,500/- to respondent nos. 1A to 1E and 2A, within two weeks from today. If costs are not paid, the application shall stand dismissed without further reference to the Court.

[NITIN W.SAMBRE, J.]

dbm