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

**CIVIL APPLICATION NO. 12088 OF 2016
IN
SECOND APPEAL (STAMP) NO. 18856 OF 2016**

Mahadeo Venku Mali (DIED)

Through : Legal representatives Mahananda & others

...APPLICANTS

versus

Shivaji Raosaheb Mali

...RESPONDENT

Mr P.V. Barde, Advocate for Applicants,

Mr G.J. Kore, Advocate for respondent

CORAM : N.W. SAMBRE, J.

DATE : 7th July, 2017

ORAL ORDER

Delay of 446 days caused in preferring Second Appeal, though opposed by the learned Counsel for the respondent, for the reasons disclosed in the application, stands condoned, subject to payment of cost of Rs. 1500/- (Rs. One thousand five hundred only), to be paid by applicants to the respondent, within a period of two weeks from today.

2. If the cost is paid and the matter is proceeded, post the matter in regular course.

(2)

3. If the cost is not paid, it be considered that the prayer for condonation of delay is rejected.

(N.W. SAMBRE, J.)

pjm