

(1)

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

**CIVIL APPLICATION NO. 8426 of 2014
IN
SECOND APPEAL NO. 243 OF 2013**

Balaji S/o Shankar Shinde

..APPLICANT

VERSUS

Kavita W/o Govind Shinde and others

...RESPONDENTS

Mr V.D. Gunale, Advocate for appellant
Mr H.V. Tungar, Advocate, holding for Mr C.R. Deshpande,
Advocate for respondents No.1 and 2

CORAM : N.W. SAMBRE, J.

DATE : 2nd August , 2017

ORAL ORDER

Heard with consent of parties.

2. There is a delay of 228 days in filing an application for restoration of Second Appeal.
3. As this Court by Order dated October 9, 2013 dismissed the Second Appeal for want of prosecution.

(2)

4. In view of no objection by the other-side, the application stands allowed in terms of prayer clause “B” & “C”.

5. As such, delay stands condoned and order dismissing the Second Appeal stands set aside. Appeal be restored to the file.

(N.W. SAMBRE, J.)

pjm