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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (ST) NO.793 OF 2017

IN

CIVIL REVISION APPLICATION (ST) NO.33778 OF 2016

WITH

CIVIL APPLICATION (ST) NO. 33779 OF 2016

Late Shree Shankarlal Mohanlal Shah
through LRs.

..Applicants.

V/s.

Late Shree Sadanand Pandharinath Gandre
(since deceased) through LRs.

..Respondents.

Mr.Chetan Shah for the Applicants.
Mr.Rohit Joshi for the Respondents.

CORAM : N.M.Jamdar, J.

DATED : 19 January, 2017

P.C. :-

Civil Application (St) No.33779 of 2016 is not on board.
By consent of parties, taken on board as the main Civil Revision
Application is placed on board today.

2. Heard the learned counsel for the parties. Though there
is a delay of 230 days in filing the revision application, considering

the fact that the Applicant had earlier filed Second Appeal, which was permitted to be withdrawn with liberty to file Civil Revision Application, on 28 November, 2016, wherein the learned counsel for the Respondents had given no objection, the delay in filing the revision application is condoned. Accordingly, the Civil Application is allowed in terms of prayer clause (a). Place the Civil Revision Application on board on 15 February, 2017.

3. The learned counsel for the parties state that they will jointly request the Executing Court for an adjournment accordingly. It will be open to the Applicants to deposit the arrears of rent in the trial Court, subject to the rights and contention of the parties.

(N.M.Jamdar, J.)