

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 1189 OF 2016
IN
SECOND APPEAL (ST) NO. 2842 OF 2016**

Rahimatbi Abbas Mulani	...Applicant
vs.	
Mahadev Dashrath Nimbalkar & Ors.	...Respondents
Mr.Sandeep S. Salunkhe for Applicant.	

CORAM : S.C. GUPTE, J.

24 MARCH 2017

P.C.:

The civil application seeks condonation of a delay of one year and 55 days in filing the present second appeal. The delay is sought to be explained in the civil application. The civil application has been duly served upon the Respondents. There is no reply on the part of the Respondents and none of the Respondents is present before the court, despite service.

2 The civil application is allowed in terms of prayer clause (b). The office shall now number the second appeal, subject to removal of other office objections, if any, and place the same for admission on 17 April 2017. It is made clear that in case the Appellant desires to apply for ad-interim relief in the second appeal, at least a private notice of the appeal must be served on the Respondents.

(S.C. GUPTE, J.)