

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

**CIVIL APPLICATION NO.1444 OF 2016
IN
SECOND APPEAL (ST.) NO.5229 OF 2016**

Nilavati Dagadu Metkari And Others ... Applicants/Appellants
Versus

Smt. Subhadra Yashwant Dhekale ... Respondent

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Mr. P.G. Chavan for the Applicants/Appellants.

Ms. N.S. Deshpande i/b Siddharth Deshpande for the Respondent.

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CORAM : S.C. GUPTE, J.

DATE : 3 MARCH 2017

P.C. :

. Heard learned Counsel for the parties.

2 This civil application seeks condonation of a delay of 53 days in filing the present second appeal. The ground, on which the delay sought to be condoned, is that there were settlement talks between the parties. This is disputed by learned Counsel for the Respondent. Anyway, this does not appear to be a case of deliberate delay or inaction on part of the Applicants/Appellants with a view to obtain any advantage. The civil application is, accordingly, allowed by condoning the delay in terms of prayer clause (a). Office shall now number the second appeal and the same shall come up for admission on 3 April 2017.

3 The Respondent waives service.

(S.C. GUPTE, J.)