

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO.1553 OF 2016
IN
SECOND APPEAL (STAMP) NO.17969 OF 2016
WITH
CIVIL APPLICATION NO.1554 OF 2016
IN
SECOND APPEAL (STAMP) NO.17969 OF 2016**

Mohan Vitthal Patil (Deceased Thr. Lrs.) And Anr. ...Applicants

vs.

Jaywant Tukaram Patil And Others ...Respondents

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Mr. Kuldeep U. Nikam, for the Applicants.

Mr. Vaibhav R. Gaikwad, for Respondent Nos. 1 to 13.

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CORAM : S.C. GUPTE, J.

DATED : 17 MARCH 2017

P.C. :

. Heard learned Counsel for the parties.

2. Civil Application No.1553 of 2016 seeks condonation of delay of 63 days in filing the present Second Appeal. For the reasons stated in the Civil Application, the delay is condoned. Civil Application No.1553 of 2016 is, accordingly, allowed in terms of prayer clause (a). The Office shall now number the Second Appeal and place the same for admission on 4 April 2017, subject to removal of office objections, if any. Learned Counsel for the Respondents waives service.

3. Learned Counsel for Respondent Nos 1 to 7 (Original Plaintiffs) states that his clients shall not take possession of the suit property in pursuance of the impugned decree of partition, till the next date. The statement is accepted.

(S.C. GUPTE, J.)