

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO. 146 OF 2016****IN****SECOND APPEAL (ST) NO. 27136 OF 2015**

Shri Jairam Baburao Garibe and Ors. ... Applicants / Appellants

Versus

Mahipat Dhondiba Tambe and Anr. ... Respondents

ALONG WITH**CIVIL APPLICATION NO. 1221 OF 2016****WITH****CIVIL APPLICATION NO. 1881 OF 2016**

Mr. Ravi Shinde for the Applicants / Appellants.

Mr. T.D. Deshmukh a/w. Mr. Sagar Kursije for Respondent No. 1.

None for Respondent No. 2.

CORAM : S.J. KATHAWALLA, J.

DATED : 17TH JULY, 2017

P.C.:

1. Civil Application No. 146 of 2016 is taken out by the Applicants / Appellants seeking condonation of delay of 116 days in filing the above Second Appeal.

2. The Advocate for Respondent No. 1 is present.

3. None for Respondent No. 2 though served.

4. For the reasons set out in paragraph 4 of Civil Application No. 146 of 2016, the delay is condoned.

5. Office to number the above Second Appeal if all other objections have been removed.
6. A copy of this order shall be forthwith served on Respondent No. 2 by Speed Post / RPAD AD and / or by hand delivery by the Advocate for the Applicants / Appellants and file an Affidavit proving service on or before 31st July, 2017.
7. Place the above Second Appeal along with Civil Application Nos. 1221 of 2016 and 1881 of 2016 on 31st July, 2017, high on board.
8. Civil Application No. 146 of 2016 is accordingly disposed off.

(S.J.KATHAWALLA, J.)