

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1862 OF 2016
IN
SECOND APPEAL (ST) NO. 31387 OF 2016
WITH
CIVIL APPLICATION (ST) NO. 1863 OF 2016

Shri. Bhausahab Genuji Waghere and others ... Applicants

Versus

Smt. Shalan Balasaheb Waghere and others ... Respondents

Ms. Shivani Kalekar i/b. Sachin Dhakephalkar for the Applicants in both the Civil applications and Appellants.

Mr.U.B. Nighot for the Respondent Nos.4A-1, 4A-2, 4A, 3A to 3C, 4D, 4E-2 to 4E-4 and 4-F.

CORAM : S.J. KATHAWALLA, J.
DATED : 21st JULY, 2017

P.C.:

1. By the above Civil Application No.1862 of 2016, the Applicants seek condonation of delay of 276 days in filing of the above Second Appeal. The above Civil Application is served on the Respondents. However, the Respondents have not filed their reply till date.

2. For the reasons set out in paragraph No.8 of the Civil Application, the Civil Application No.1862 of 2016 is allowed. The delay in filing the Second Appeal is condoned.

3. Office is directed to forthwith number the above Second Appeal if all the other objections raised by the office are removed.
4. The Advocate for the Respondent Nos.4A to 4F waives service.
5. The Advocate for the Applicant shall serve a copy of the Second Appeal alongwith the copy of this order on the Respondent Nos.1 to 3 by Speed Post/Registered Post A.D. and/or by hand-delivery and file an affidavit proving service on or before the adjourned date.
6. The above Civil Application No.1862 of 2016 is accordingly disposed off.
7. Place the above Second Appeal for admission on 02.08.2017.

(S.J.KATHAWALLA, J.)