

nsc.

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

***CIVIL APPLICATION NO.820 OF 2015
IN
SECOND APPEAL (ST) NO.32157 OF 2014***

Raghunath Pandurang Yewale (Kadam)

Since deceased through his Legal Representatives:

1A.Shashikant Govind Kadam @

Shashikant Raghunath Yewale and Ors. ...Applicants

Versus

Vishnu Maruti Kadam

Since deceased through his Legal Representatives:

1A. Vijay Vishnu Kadam and Others ...Respondents

Mr.Akshay Deshmukh i/b Mr.U.P.Warunjikar, for the Applicants.

Ms.Ranjan Rajgor, for the Respondent No.2.

Mr.Dilip Govind Kadam @ Dilip Raghunath Yewale, present in Court.

CORAM : REVATI MOHITE DERE, J.

DATE : 12th OCTOBER, 2017

P.C. :

1. Heard learned counsel for the applicants and learned counsel for the respondent no.2.

2. It appears that Respondent Nos.1(d) to 1(g), 2, 5(a) and 5(b), 6 to 9 are served; that Respondent Nos.1(a) is served through his wife and that Respondent No.3 is also served. Learned Counsel for the applicants states that Respondent Nos.1(b) and 1(c) have also been served by private notice, however, the notices are returned unserved with the remark 'unclaimed', and that he has filed an affidavit of service to that effect.

3. For the reasons set out in the application, the application is allowed and the delay of 7 days caused in filing the aforesaid Second Appeal is condoned.

4. Application is accordingly disposed of.

5. Registry to number the Second Appeal, subject to office objections being removed.

(REVATI MOHITE DERE, J.)