

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

**CIVIL APPLICATION NO.1610 OF 2017  
IN  
SECOND APPEAL (ST) NO.33496 OF 2016**

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|-----------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr.Vikrant A. Desai /b Mr.S.M.Kamble for the applicant

None for the respondent

**CORAM : K. K. TATED, J.**

**DATE : DECEMBER 18, 2017**

**P.C.:**

1. Heard the learned counsel for the Applicant.
2. Advocate for the Applicant submits that as per order dated 20.11.2017 they served the Respondent by private notice. They tendered affidavit of service dated 16.12.2017. He submits that all the Respondents are duly served. Statement is accepted. Affidavit of service is taken on record.
3. The learned counsel for the Applicant submits that this Application is preferred by original defendant nos.1 to 3 for condonation of 52 days delay in filing the Second Appeal.
4. Considering the submissions made by the learned counsel for the Applicant and the

averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order is passed:

- a) Delay of 52 days in filing Second Appeal is condoned.
- b) Applicant is permitted to remove all office objections in Second Appeal (ST) No.33496 of 2016 on or before 19.1.2018, failing which the Second Appeal shall stand dismissed without further reference to the court.
- c) Civil application stands disposed off accordingly.

**(K.K.TATED, J.)**