

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

**CIVIL APPLICATION NO. 131 OF 2017  
IN  
SECOND APPEAL (ST) NO. 24932 OF 2016**

Nitin Durlab Tandel

...Applicant

vs.

Kashi Mitha Tandel & Ors.

...Respondents

Mr.Clifford Martis for Applicant.

Mr.Mohan Khatavkar for Respondent No.1.

**CORAM : S.C. GUPTE, J.**

**24 MARCH 2017**

**P.C.:**

Heard learned Counsel for the parties.

2           The civil application seeks condonation of a delay of 29 days in filing the present second appeal.

3           Learned Counsel for the Respondent tenders a reply.

4           This is not a case where there is any intentional delay or deliberate dilatory tactics being caused or used by the Appellant to seek advantage. The delay is, accordingly, condoned. Office shall now number the second appeal, subject to removal of office objections and place it for admission on 21 April 2017. Respondent No.1 waives service.

5           Issue notice to the other Respondents returnable on that day. The Appellant is also permitted to effect a private service and file an

affidavit of service by the next date.

6           The civil application is disposed of accordingly.

**(S.C. GUPTE, J.)**