

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (S) NO.415 OF 2017
IN
SECOND APPEAL ST. NO.9257 OF 2017

ZOLBA S/O SAMBAJI LEDANGE & ANOTHER
VS
RAMA S/O DURGA ALIWAR AND OTHERS

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S. O. Ahmad, Advocate for the appellants.

CORAM : A.S. CHANDURKAR, J.
DATED : JULY 12, 2017.

Though the prayer for condoning delay is opposed by the learned Counsel for respondent Nos.1 to 5, considering the reasons mentioned in paras 3 and 4 of the application, the delay stands condoned.

Civil application is allowed and disposed of.

SECOND APPEAL ST. NO.9257/2017.

Since the appellants are aggrieved by the order passed by the appellate Court in exercise of powers under provisions of Order XLI Rule 23 of the Code of Civil Procedure, 1908, this appeal under Section 100 of the Code is not maintainable.

Liberty is granted to the appellants to convert the present proceedings into an appeal from order under

provisions of Order XLIII Rule 1 (u) of the Code.

Necessary steps be taken within a period of one week from today.

JUDGE

/MULEY/