

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

Civil Application (CAS) No.1672 of 2015

And

Civil Application (CAS) No.794 of 2015

In

Second Appeal Stamp No.16322 of 2015

(Smt. Shakunbai w/o Ganesh Ingole v. Shri Ramesh s/o Jagannath Ingole)

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

Ms B.K. Meshram, Advocate for Applicant/Appellant.

Coram : R.K. Deshpande, J.

Date : 9th February, 2017

Civil Application (CAS) No.1672 of 2015 :

This is an application for bringing the legal representatives of the respondent on record. All the legal representatives are served. There is no delay.

For the reasons stated in the application, the application is allowed. Necessary amendment be carried out within a period of two weeks.

The civil application is disposed of.

Civil Application (CAS) No.794 of 2015 :

Heard the learned counsel for the applicant/appellant.

Notice was issued on this application for condonation of 11 days' delay caused in filing an appeal. The legal representatives of the respondent are served. No reply is filed. After going through the averments made in the application, which remain uncontroverted, I am satisfied that a sufficient cause is made out for condonation of delay. Hence, the application is allowed. The delay caused is condoned.

The civil application is disposed of.

Second Appeal Stamp No.16322 of 2015 :

On merits of the matter, the learned counsel for the appellant submits that Second Appeal No.421 of 2015, arising out of the decree passed by the Trial Court in favour of the plaintiff and confirmed in appeal, is the subject-matter of challenge. The lower Appellate Court's judgment is common, and the present second appeal arises out of the decree passed in a counter-claim.

Issue notice to the respondents, returnable on 4-5-2017.

This second appeal to be heard along with Second Appeal No.421 of 2015.

Judge.

Lanjewar