

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.13645 OF 2017
(Shankar Eknath Gomde (died), through LR's and others Vs.
Rajendra Deorao Kale)

IN
SECOND APPEAL NO.485 OF 1999

Mr.R.D.Biradar, Advocate for the applicants.
Mr.S.S.Manale, Advocate for the respondent.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 23/02/2018

PER COURT :

1. The applicants claim to be the LR's of deceased appellant. They pray for condonation of 352 days delay and for liberty to be brought on record in the second appeal .

2. Learned Advocate for the sole respondent strenuously opposes this application. He submits that the reasons cited are not satisfactory and convincing. In the alternative, he submits that if this Court is inclined to allow the civil application, heavy costs may be imposed and the amount be donated to the Advocate's Association of the Bombay High Court, Bench at Aurangabad.

3. For the reasons set out in the application, the same is allowed

in terms of prayer clause A and B subject to costs of Rs.750/- which the applicants shall deposit with the Advocate's Association of the Bombay High Court, Bench at Aurangabad on or before 16/03/2018 and shall bring themselves on record in the second appeal before the said date, failing which, this civil application shall stand rejected on 17/03/2018 and the second appeal shall stand abated.

(RAVINDRA V. GHUGE, J.)