

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 1000 OF 2017

IN

STAMP NUMBER MAIN NO. 3646 OF 2017

DAMODAR YESHWANT SINAI KAKODKAR
AND ANR.,

... Applicants

Versus

UDAY SATCHIDANAND TIVLE AND 6
ORS.,

... Respondents

Adv. S. Bhobe for the Applicants.
Adv. J.J. Mulgaonkar for the Respondents.

Coram:- C. V. BHADANG, J.

Date:- 7th February 2018

P.C.:

This is an application for condonation of delay in filing appeal.

This application is filed by the original defendant nos.1 and 2, who are aggrieved by an order granting a decree of refund of consideration in a suit for specific performance filed by the respondent nos. 1 to 4. The parties, therefore, submit that the rest of the respondents may not be the contesting respondents. It is submitted that the respondent nos. 5, 6 and 7 (a) and (b) are the purchasers of the property from the applicants.

2. Considering the fact that the respondent nos. 1 to 4 would

only be contesting respondents the service of notice on respondent nos.5 6, & 7 (a) and (b) is hereby dispensed with.

3. There is delay of 108 days in filing the appeal.

4. On hearing the learned counsel for the parties and for the reasons stated in the application, the same is allowed. The delay in filing the appeal is condoned. Let the appeal be registered.

C. V. BHADANG, J.

ap/-