

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.349 OF 2018
IN
SECOND APPEAL (STAMP) NO.6913 OF 2018

Satish @ Santosh Ganpati Vhatkar Applicant
V/s.

Dattatray Govind Kadam (Since Deceased),
Through LRs.:-
Sajjan Dattatraya Kadam & Ors. Respondents

Mr. Saurabh M. Railkar for the Applicant.

Mr. Abhijit M. Adagule for the Respondents.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 7TH JUNE, 2018.

P.C. :

1. Heard learned counsel for both the parties.
2. This is an application for condonation of delay of about 9 years and 78 days in preferring the Second Appeal. The reason for the delay was that, the Appellant-Applicant has filed Civil Revision Application No.641 of 2009, which came to be withdrawn with liberty to file Second Appeal, when the objection was raised to its maintainability.
3. In view thereof, as sufficient cause is made out, the delay needs to be condoned. Accordingly, the Civil Application is allowed. The delay in preferring the Second Appeal is condoned.
4. Registry is directed to register and number the Second Appeal and place it for admission on 26th June 2018.
5. Civil Application is disposed off in the above terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.]