

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 467 OF 2016
IN
SECOND APPEAL (ST) NO.671 OF 2016

Asha Ashok Shivde

...Applicant

Versus

Ramdas alias Nitin Digambar Kulkarni &
Ors

...Respondents

Mr. H. Hiranandani, i/b C. G. Gavnekar, for the Applicant.
Mr. Dilip B. Shinde, for Respondent No.1.

CORAM: N. M. JAMDAR, J

DATED: 19 JANUARY, 2018

PC:-

1. The Civil Application is seeking condonation of delay of three years and 153 days. Heard the learned Counsel for the parties. Though the delay is of three years and 153 days in filing the Second Appeal against the impugned order dated 25 April, 2012, it appears that the Appellant had filed a Writ Petition No.6700 of 2012 challenging the impugned order. The impugned order is dismissing the Application for condonation of delay in filing the First Appeal. On 26 October, 2015, the Writ Petition was disposed of giving liberty to the Applicant to

point out this fact in case the issue of limitation arises. Thereafter the Second Appeal is filed immediately.

2. In these circumstances, the Civil Application is allowed in terms of prayer clause (a).

[N. M. JAMDAR, J.]