

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1046 OF 2015
IN
SECOND APPEAL (ST) NO.2252 OF 2015**

**WITH
CIVIL APPLICATION NO.1047 OF 2015
IN
SECOND APPEAL (ST) NO.2252 OF 2015**

**WITH
CIVIL APPLICATION NO.1261 OF 2017
IN
SECOND APPEAL (ST) NO.2252 OF 2015**

Sou. Shrada Dattusing Pardeshi & Anr.	Applicants
V/s.	
Sau. Alaka Ajitsing Pardeshi & Ors.	Respondents

Mr. S.S. Kanetkar for the Applicants.
Mr. Sharad Bhosale a/w. Ms Shraddha Pawar i/by Dilip Bodake for
Respondent Nos.1, 6A to 6C.

CORAM : M.S. SONAK, J.

DATE : 22nd FEBRUARY, 2018

P.C.

1. Heard the learned counsel for the parties.
2. The learned counsel for the respondents opposes the application for condonation of delay by pointing out that there is no sufficient cause shown in the civil application. However, if the

averments of the civil application are perused, it cannot be said that no sufficient cause has been shown. A delay is of 163 days and the same has been sufficiently explained. In particular, the averments in Paras 2 to 5 are relevant for explaining the delay. The prejudice, if any, to the respondents can always be compensated in terms of costs.

3. Accordingly, the delay of 163 days in institution of the Second Appeal is hereby condoned subject to payment of cost of Rs.5,000/- to be paid to Respondent Nos.1 and 6A to 6C.

4. The costs to be either paid directly to Respondent Nos.1 and 6A to 6C or deposited in this Court within a period of four weeks from today.

5. The Civil Application for condonation of delay is disposed of in the aforesaid terms.

(M.S. SONAK, J.)