

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

***CIVIL APPLICATION NO. 955 OF 2016
IN
SECOND APPEAL (ST.) NO. 14598 OF 2015***

Shantabai Anandrao Kharade & Ors. ... Applicants
V/s.
Sou. Sunanda Tulshidas Bagade & Ors. Respondents.

Mr. V.S. Talkute for the applicants.
None for the respondents.

CORAM : N.M. Jamdar, J.

DATE : 01 February, 2018.

P.C. :-

Heard the learned counsel for the applicants. The delay in filing the appeal is for 274 days. In paragraph 2 of the application, the reasons why there was a delay has been explained. The reasons stated cannot be said to be frivolous. Furthermore, no reply is filed by the respondents pointing out that any of these averments made are incorrect. Even though the matter is notified on board in advance, the advocate for respondents are also not present.

2. The learned counsel for the applicant states that in the companion appeal bearing Second Appeal (St.) No.6487 of 2015,

the delay of identical duration has been condoned. In the circumstances, civil application is allowed in terms of prayer clause (a).

(N.M. Jamdar, J.)