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

**CIVIL APPLICATION NO.1826 OF 2017
IN
SECOND APPEAL (ST) NO.20194 OF 2017**

Narayan Jadhav ... Applicant
V/s.
Ramchandra Jadhav
and ors ... Respondents

Ms. Shraddha Pawar i/by Dilip Bodake, for applicant.
Mr. Jaydeep Deo, for respondent No.1

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J

DATE : 19th JUNE, 2018.

P.C. :

- 1] Heard learned counsel for applicant and respondent No.1.
- 2] Notice of this application is duly served on respondent Nos. 2, 3 , 5 and 6. However, they have not appeared.
- 3] The other respondent Nos.4, 6, 7 and 8 are deceased and their legal heirs are not brought on record.
- 4] There is delay of about 260 days in preferring this Second Appeal. Considering the reasons given in paragraph Nos. 9 and 10 of the application and as sufficient cause is made out, delay is condoned. However, in order to compensate the respondent No.1, who has appeared in the matter, delay is condoned subject to costs of

Rs.5,000/- to be paid by the applicant to respondent No.1, within a period of three weeks from today.

5] In case of failure to pay the costs within the stipulated period, this application will automatically stand dismissed.

6] Application is allowed in above terms.

[DR.SHALINI PHANSALKAR-JOSHI, J.]