

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

**CIVIL APPLICATION NO. 263 OF 2016
IN
REVIEW PETITION ST. NO. 22389 OF 2015
IN
SECOND APPEAL NO. 179 OF 1993**

Shri Lalsaheb Tukaram Dhabugade
@ Namdev Tukaram Dhabugade
since deceased through his legal heirs
Smt. Indubai Namdev Dhabugade & Ors. ...Applicants

Versus

Yeshwant Balu Shelke ...Respondent

.....

Mr.S.G.Deshmukh, Senior Advocate I/b. Mr. Ashok Dhabugade for
the Applicants.
Mr. Manoj Patil I/b. Mr. S.K. Hande for the Respondent.

.....

**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: APRIL 11, 2018**

P.C. :

1. This Civil Application is moved for condonation of delay in filing the Review Petition.

2. The learned Counsel for the applicants submits that the Review Petition is filed against the judgment and order dated 11th June, 2015 passed by this Court in Second Appeal No. 179 of 1993. He further submits that there was a communication gap

between the applicants and their counsel and also it took time to engage the counsel and, therefore, delay is caused. He further submits that the delay is not intentional and hence, it is to be condoned.

3. The learned Counsel for the respondent opposes this Civil Application.

4. For the reasons mentioned in the Civil Application and considering the period of delay, the delay of 36 days is hereby condoned.

5. Civil Application is allowed and is accordingly disposed of.

6. Review Petition be numbered. Place the Review Petition for admission on 5th June, 2018. Till then, the Executing Court not to proceed with the matter.

(MRIDULA BHATKAR, J.)