

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1936 OF 2015
IN
SECOND APPEAL (ST) NO. 26837 OF 2015

Shri. Vijay Dhondiba Girigosavi ...Applicant

Versus

Sou. Anita Kaluram Bharatigosavi & Ors ...Respondents

Mr. V. R. Gaikwad, for the Applicant.

Ms. Bhakti Bhosle, i/b Mr. Rahul S. Kate, for Respondent No.1.

CORAM: N. M. JAMDAR, J

DATED: 19 JANUARY, 2018

PC:-

1. Heard the learned Counsel for the parties.
2. Perused the Application. It appears that the Applicant had earlier filed a Writ Petition and thereafter it was disposed of with liberty to file a Second Appeal. The learned Counsel for the Respondent sought to oppose the Application contending that the period spent in pursuing the Writ Petition does not cover the entire period for filing the Application.
3. Considering the facts and circumstances, I am of the opinion that the Civil Application can be allowed subject to two

riders, firstly, that the Applicant will pay costs of Rs.3,000/- to the Respondent within a period of three weeks from today and secondly, it will be open to the Respondent to contend at the time of hearing of the Second Appeal that the Applicant had approached this Court with a delay. Civil Application is allowed in above terms.

[N. M. JAMDAR, J.]