

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

***CIVIL APPLICATION NO. 1728 OF 2015
IN
SECOND APPEAL (ST.) NO. 27265 OF 2015***

Dinkar Dattu Patil & Ors.

... Applicants

V/s.

Dadu Santu Patil & Ors.

... Respondents

Mr. Tanaji Mhatugade for the Applicants.

Mr. Rahul Walvekar for respondent nos.1,2,4 and 5.

CORAM : N.M. Jamdar, J.

DATE : 01 February, 2018.

P.C. :-

This application is filed for condonation of delay of two years and two days. In the application, reason that is stated is that son of applicant no.1 passed away. However, from the array of parties it appears that there are five applicants. The learned counsel for the respondents states that to avoid any further delay in the matter, the appeal be fixed for admission. In view of this position, the civil application is allowed in terms of prayer clause (A). Place the appeal on board on 12 February, 2018.

2. In view of the stand taken by the learned counsel for the

respondents, learned counsel for the applicants/appellants undertakes to the Court that on the next date, the appeal will be argued on merits and no adjournment will be sought. It is also clarified that this undertaking is an integral part of the discretion used by this Court while condoning the delay in the appeal and the said undertaking shall not be breached.

(N.M. Jamdar, J.)