

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 CIVIL APPLICATION NO.9674 OF 2006 IN
SAST/19284/2006

CHANDRAKANT NILKANTH RATE AND ANR
VERSUS
SHARAD DINKARRAO RAYTE AND ORS

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Mr.S.S. Thombre, Advocate for applicants.
Mr.G.K. Thigle, Advocate for respondent nos.1
to 3.

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CORAM: V.L. ACHLIYA, J.
DATE : 18.10.2019

ORAL ORDER:

. The learned counsel for the applicants seeks leave to delete the names of respondent nos.4 to 14 for the reason that the appellants/applicants and respondent nos.1 to 3 entered into settlement.

2. Leave granted at the risk of the appellants/applicants. Necessary steps to delete the names of respondent nos.4 to 14 be taken forthwith.

3. Heard learned counsel for the applicants and respondents.

4. In brief, it is the contention of

learned counsel for the applicants that the delay caused in filing the appeal was not intentional and deliberate, but occurred due to reasons set out in detail in the application. It is contended that the parties have entered into settlement and also prepared and submitted the Consent Terms. In order to facilitate the appellants, it is desirable that the delay be condoned so as to put an end to the litigation started in the year 1988.

5. Mr. Thigle, learned counsel for the respondent nos.1 to 3 submits that the parties have entered into settlement and respondent nos.1 to 3 have no objection to condone the delay.

6. On due consideration of submissions advanced and the fact that the parties have entered into settlement, I am inclined to allow the application. Accordingly, the application is allowed in terms of prayer clause "B". Delay condoned. Appeal be registered.

[V.L. ACHLIYA]
JUDGE