

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

**CIVIL APPLICATION NO.3531 OF 2018
IN
FIRST APPEAL (STAMP) NO.7117 OF 2018
WITH
FIRST APPEAL (STAMP) NO.7117 OF 2018**

Kum. Aditya Ramchandra Patil and

Ors.

...Applicants

Versus

Yuvraj Bhivaji Patil and Ors.

...Respondents

.....

Mr. Akshay P. Shinde for the Applicants.

Ms Poonam Mittal for the Respondent No.2.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 3rd SEPTEMBER, 2019.

P.C.:-

By this application the Applicant has sought to condone the delay of 284 days in filing the first appeal against the judgment and order dated 13th January, 2017 passed by the learned Member, M.A.C.T., Kolhapur in M.A.C.P. No.46 of 2012.

2 The learned counsel for the Respondent No.2 has no objection for condoning the delay. The Respondent Nos.1 and 3 did not contest the application despite due service.

3. In the light of the statement made by the Respondent No.2

and having considered the reasons stated in the application, which in my considered view constitute sufficient cause, the application is allowed. The delay is condoned.

4. The appeal be registered subject to removal of office objections, if any.

ORDER IN FIRST APPEAL STAMP NO.7117 OF 2018:-

5. Ms Poonam Mittal, the learned counsel waives service of notice on behalf of the Respondent No.2. Issue notice to the Respondent Nos.1 and 3, returnable on **1/10/2019**.

(SMT. ANUJA PRABHUDESSAI, J.)