

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

**CIVIL APPLICATION NO. 1198 OF 2018
IN
SECOND APPEAL STAMP NO. 2598 OF 2015**

Pravin Jaywant Madye ... Applicant
Versus
Grampanchayat Kalthar-Devali and others ... Respondents

.....

Mr. A.L. Bhise i/b Mr. Hiten S. Venegavkar for Applicant
Mr. Gaurang C. Jhaveri h/f Mr. V. Karnik for Respondent No 1.
Ms Tanya Goswami, AGP for Respondent No.3-State.

.....

CORAM : SANDEEP K. SHINDE, J.

DATE : 15th FEBRUARY, 2019.

P. C.:

1. Against the decree of removal of encroachment, the plaintiff has preferred this appeal beyond 25 days of limitation prescribed for filing second appeal. He, thus, seeks condonation of delay of 25 days.

2. Heard learned Counsel for the applicant and learned Counsel for respondents. The application is opposed by the respondents.

3. I have perused the application. The sufficient cause has been shown, which prevented the applicant for filing the second appeal within the period of limitation. The delay is therefore condoned.

4. Civil application is allowed in terms of prayer clauses (a) and (b).
5. Second Appeal to come up for hearing as per the CMIS date.

(SANDEEP K. SHINDE, J.)