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

**CIVIL APPLICATION NO. 69 OF 2018
WITH
CIVIL APPLICATION NO. 1714 OF 2017
IN
SECOND APPEAL (ST.) NO. 21754 OF 2017**

Charles Gabriel

... Applicant/
Appellant

V/s.

Viraj Chandrakant Sawant & Anr.

... Respondents

.....
Mr. Suryajeet P. Chavan i/by Mr. Vaibhav Anant Sugdare for the Applicant/
Appellant.
None for the Respondents.

.....

CORAM : R.D. DHANUKA, J.

DATE : 5th SEPTEMBER, 2019.

P.C.:

. Learned Counsel appearing for the applicant states that both the respondents are served. Respondent no.1 has unclaimed service. Respondent No.2 has been served by private notice. Statement is accepted.

2. None appeared for the respondents when the matter was called out. No affidavit in reply is filed.

3. I perused the averments made in Civil Application. Applicant has explained the delay of 2 days in filing this Second Appeal in paragraphs 3 and 4 of the Civil Application.

4. For the reasons recorded in the Civil Application, Civil Application is made absolute in terms of prayer clause A.

5. If there are any office objections, the same shall be removed within two weeks from today. If the office objections are removed and second appeal is numbered, the same shall be placed on board for admission as per CMIS date. No order as to costs.

(R.D. DHANUKA, J.)