

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

**CIVIL APPLICATION NO.649 OF 2019
IN
SECOND APPEAL (ST.) NO.1422 OF 2019
WITH
CIVIL APPLICATION NO.1558 OF 2019**

Sadashiv Bhiva Shigvan

And Another

... Applicants/Appellants

Versus

Pramod Giridhar Dorlekar

And Others

... Respondents

Mr.Yashodeep Deshmukh
Applicants/Appellants.

.....
i/b Pradip Patil for the

.....

CORAM : S.C. GUPTE, J.

DATE : 25 NOVEMBER 2019

P. C. :

. Civil Application No.649 of 2019 is for condonation of delay of 206 days in filing the present Second Appeal. It is explained in paragraph-5 of the application that the Appellants, who are farmers from a village in Ratnagiri District, that they had sent a person to Mumbai with papers to enable him to instruct the Advocate and entrust the matter to him. It is submitted that papers were misplaced in Mumbai and the entire record had to be reconstructed before the matter could be entrusted to an Advocate. The Civil Application has been duly served on the Respondents and an affidavit of service has

been filed. Both court notice as well as a private notice have been served. None, however, appears for the Respondents to show-cause. The Civil Application is allowed by condoning the delay. Registry to number the second appeal and place the same along with application for stay, namely, Civil Application No.1558 of 2019.

2 Issue notice to the Respondents on the second appeal as well as Civil Application No.1558 of 2019, returnable on 11 December 2019. In addition to court notice, the second appeal and the civil application be served by the Appellants to the Respondents privately and an affidavit of service may be filed. The Appellants' application for interim relief shall be considered without fail on the next date. Place it **HoB**.

(S.C. GUPTE, J.)