

SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2057 OF 2014

Smt. Sangeeta Dadasaheb Padalkar & Ors. ..Petitioners.

V/s.

Dnyanoba Namdev Dahygude & Ors. ..Respondents.

Mr.Vishwanath S.Talkute, for the petitioners.

Mr.S.V. Deshpande I/b. Atul Vanarse for the respondents.

CORAM : M.S.SONAK, J.

DATE : MARCH 15, 2019

P.C. :-

Heard Mr.V.S.Talkute, learned counsel for the petitioners and Mr.S.V.Deshpande, learned counsel for the respondents.

2. With the consent of learned counsel, Mr.Deshpande, learned counsel appearing for the respondents, the impugned order dated February 4, 2014 made by learned Ad-hoc District Judge, Satara is set aside and the application seeking delay of 6 months and 29 days in preferring the appeal against judgment and decree dated August 7, 2012 in Regular Civil Suit No.43/2006 is allowed. However, this shall be shall be subject to payment of costs of Rs.15,000/-, to be paid to respondent No.1 original plaintiff. The said costs to be paid within

three weeks from today and necessary proof of payment be filed before the Appeal Court.

3. If the amount of costs are paid within three weeks from today, the appeal before the Appeal Court to be numbered.

4. The parties to appear before the trial Court on April 10, 2019 at 11.00 a.m. and file an authenticated copy of this order.

5. The appeal Court is directed to dispose of the appeal on merits and in accordance with law, as expeditiously as possible and in any case within six months thereafter.

6. In the event the amount of costs are not paid within the above stipulated period, then, this petition will be deemed to have been dismissed without further reference to this Court.

All concerned to act on the basis of authenticated copy of this order.

(M.S.SONAK, J.)