

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

**CIVIL APPLICATION NO.1964 OF 2016
IN
SECOND APPEAL (ST.) NO.11402 OF 2016
ALONG WITH
SECOND APPEAL (ST.) NO.11402 OF 2016**

Papabhai Babubhai Tamboli .. Applicant/Appellant
Vs.
Babasaheb Tatyaba Nikam (since deceased)
through his legal heirs
Vaishali Babasaheb Nikam & Ors. .. Respondents

None for the applicant/appellant.
None for the respondents.

**CORAM : R.D.DHANUKA, J.
DATE : 3rd September 2019**

P.C.:

. None appears for the applicant when the matter was called out. The respondent nos.1 to 4 have been served.

2. I have perused the civil application filed by the applicant for condonation of delay of 39 days in preferring the second appeal.

3. For the reasons recorded in the second appeal, the applicant has made out a case for condonation of delay of 39 days. Civil application is made absolute in terms of prayer clause (a). No order as to costs.

4. Place the second appeal on board for 'Admission' as per CIMS date.

R.D.DHANUKA, J.