

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

**CIVIL APPLICATION NO.887 OF 2019
IN
SECOND APPEAL (ST.) NO.16491 OF 2019**

Ganpati Dhondi Nirate & Ors. .. Applicants
Vs.
Namdev Dnyanu Nirate & Ors. .. Respondents

Mr.Ramdas A. Shelke for the applicants.
Mr.Vijay Killedar for the respondent nos.1 to 3.

**CORAM : R.D.DHANUKA, J.
DATE : 24th September 2019**

P.C.:

. By this civil application, the applicants seek condonation of delay of 230 days in filing the second appeal.

2. The applicants have recorded various reasons explaining the delay and in particular paragraph 5 of the civil application stating that learned advocate to whom the applicants approached to file second appeal was bed ridden. Learned counsel for the respondents states that his clients have no objection if the delay is condoned however, his clients do not admit all allegations relating to the health issue of the learned advocate as mentioned in the civil application. Statement is accepted.

3. Civil application is made absolute in terms of prayer clause (a). Delay of 230 days in filing the second appeal is condoned. No order as to costs.

4. If there are any office objections, the same shall be removed within two weeks from today. If all office objections are removed within two weeks, place the second appeal on board for 'Admission' as per CIMS date.

R.D.DHANUKA, J.