

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

**CIVIL APPLICATION (ST.) NO.16753 OF 2019
IN
SECOND APPEAL NO.849 OF 2012**

Navashya Atmaram Patkar ... Applicant
 Versus
 Sakharam Raghya Lilka and Ors. ... Respondents

.....
Mr. P. P. Chakurkar for Applicant.
Mr. Pravin B. Gole I/b. Mr. S.M. Mirajkar for Respondent Nos.1
to 5.

CORAM : M. S. KARNIK, J.

DATE : 28th JUNE, 2019.

P. C.:

1. This is an application for condonation of delay of 1 year and 320 days in filing the present application for restoration of the Appeal.
2. However prayer is made for restoration of the Second Appeal filed which was dismissed for default on 01.07.2017. Learned counsel appears on behalf of the respondent Nos.1 to 5 opposed the application.

3. However, for the reasons mentioned in the application, the delay is condoned. Further for the reasons mentioned in the application the Second Appeal is restored.
4. The application is allowed in terms of prayer clause (a) and (b).
5. Civil Application is disposed of.
6. Place the Appeal for Admission as per C.M.I.S. date.

(M. S. KARNIK, J.)