

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY*****CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1074 OF 2018****IN****SECOND APPEAL NO. 457 OF 1996****Bhausahab Jagu Autade & Anr.****..... Applicants****IN THE MATTER BETWEEN****Bhausahab Jagu Autade & Anr.****..... Appellants****VERSUS****Ranu Jijaba alias Jiju Autade & Anr.****..... Respondents**

Mr.Suryajeet P. Chavan for the Applicants.

**CORAM : R.D. DHANUKA, J.****DATE : 16<sup>th</sup> OCTOBER, 2019****P.C.**

A perusal of the record indicates that the respondents are served pursuant to the order dated 29<sup>th</sup> March,2019. None appeared for the respondents when the matter was called out. No affidavit in reply is filed.

2. By this civil application, the applicants seek condonation of delay of 16 years and 97 days in filing civil application and seeks recall of the order 15<sup>th</sup> March,2002 passed by this court thereby dismissing the second appeal for non-compliance of the conditional order of filing paper-book.

3. Heard learned counsel for the applicants. I have perused the averments made in the civil application. The applicants have made out

a case for reliefs as prayed.

4. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clauses (a) and (b).

5. Second Appeal No.457 of 1996 is restored to file.

6. Time to file paper-book is extended by eight weeks from today.

7. Civil application is made absolute in the aforesaid terms. No order as to costs.

**[R.D.DHANUKA, J.]**