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

CIVIL APPLICATION NO.977 OF 2017
IN
SECOND APPEAL (ST) NO.35416 OF 2016

Ashok Haribhai Tandel ...Applicant/Appellant
Vs
Kashi Mitha Tandel & Ors. ... Respondents

...
Mr. Swapnil R. Patil for the Applicant.
Mr. M. Sangeeta for the Respondents.

CORAM : SANDEEP K. SHINDE J.
DATE : APRIL 5, 2019

P.C. :

Not on board. Taken on Board.

It is an application for condonation of 139 days caused in preferring Second Appeal against the judgment and decree dated 7th May, 2016 passed in Civil Appeal No.7 of 2015 by the Principal District Judge, Daman.

2 Heard learned counsel for the parties.

3 That for the reasons stated in paragraph 6, delay is condoned. It appears respondent no.2 herein has also filed Second Appeal against the decree dated 7th May, 2016 and thus

appellant/applicant was advised that he may not prefer separate appeal. However, on second thought he was advised to file appeal independently. In my view, sufficient cause is shown for condoning delay. Thus, application is allowed in terms of prayer clause (a).

4 Application is disposed of.

(SANDEEP K. SHINDE, J.)