

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

**CIVIL APPLICATION NO.248 OF 2016  
IN  
FIRST APPEAL (STAMP) NO.35617 OF 2015**

Sunanda Subhash Rathod & Ors.

..... Applicants

Versus

Sushila Subhash Rathod & Ors.

..... Respondents

Mr. Prasad Kulkarni for Applicants.

Mr. I. M. Khairdi for Respondent Nos.1 to 4.

.....

.....

**CORAM : K.K.TATED, J.  
DATED : SEPTEMBER 24, 2019**

**P.C.**

1 Heard.

2. By this Civil Application, the Applicant is seeking condonation of 17 days delay in filing the First Appeal challenging the Judgment and decree dated 01<sup>st</sup> September, 2015 passed by the Learned Joint Civil Judge, Senior Division, Solapur in Civil Misc. Application No. 378/2012 dismissing the Applicant's Application under Section 372 of the Indian Succession Act for granting of succession certificate.

3. Considering the submission made by the Learned Counsel for the Applicant and the averments made in Civil Application, I am satisfied that the Applicant has

made out a case for allowing the Civil Application. Hence, the following order is passed:

- a. Delay in filing the first Appeal is condoned.
- b. Civil Application stands disposed of accordingly.
- d. No order as to costs.

**(K.K.TATED, J.)**