

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 546 OF 2019****IN****SECOND APPEAL NO. 114 OF 2018****Baban Savleram Gawade****Since deceased through legal heirs****Deubai Baban Gawade & Anr.****..... Applicants****VERSUS****Chandrakant Sakharam Gawade & Ors.****..... Respondents**

Ms.Prabha Bhadadane, i/b. Mr.P.R.Arjunwadkar for the Applicants.

Mr.Kaustubh Dube, i/b. Mr.Prashant Darandale for the Respondent nos. 1 to 6.

CORAM : R.D. DHANUKA, J.**DATE : 9th AUGUST, 2019****P.C.**

Learned counsel appearing for the legal heirs of the appellants states that no reliefs are sought by the appellants against the respondent nos. 7 to 15 and are thus not served. Statement is accepted.

2. By this civil application, the applicants seeks condonation of delay of 30 days in filing second appeal. Heard learned counsel appearing for the appellant and the respondent nos. 1 to 6. I have perused the averments made in the civil application filed by the applicants. The reasons are sufficiently explained in the civil application. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clause (b).

3. The applicants are directed to remove other office objections, if any, within two weeks from today. Leave to amend is granted. Amendment to be carried out within one week from today. Amended copy of the appeal memo shall be served upon the learned advocate appearing for the respondent nos. 1 to 6 simultaneously.

4. If the second appeal is numbered, place the same on board for admission on **21st September, 2019**.

5. Civil application is disposed of on the aforesaid terms. No order as to costs.

[R.D.DHANUKA, J.]