

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

SECOND APPEAL (ST.) NO.26431 OF 2019

Banda Babaso Halunde

And Others

... Appellants

Versus

Rajkumar @ Rajendra Avati

And Others

... Respondents

.....

Mr. Nikhil N. Pawar for the Appellants.

.....

CORAM : S.C. GUPTE, J.

DATE : 28 NOVEMBER 2019

P. C. :

. This Second Appeal challenges a judgment and decree passed by the District Court at Islampur in a civil appeal. By the impugned order, the learned District Judge set aside an order of dismissal passed by the trial court in the suit filed by the Appellants (original plaintiffs), but decreed the Appellants' suit only partly. That order is challenged in the present second appeal. There is a delay of two days in filing the second appeal. The delay is explained. It is submitted that the delay was caused by reason of Advocate's office having taken some time to prepare a memo of appeal. Since there is only a short delay, in the interest of justice, the delay is condoned and the office is directed to place the second appeal for admission on 16 December 2019.

(S.C. GUPTE, J.)