

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 CIVIL APPLICATION NO.5658 OF 2017
IN SAST/13978/2017

SANJAY SANGRAM POMDE

VERSUS

LAXMIBAI GANPATI PAWADE AND OTHERS

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Mr. S.S. Gangakhedkar, Advocate for the applicant

Mr. Gajanan Kadam, Advocate for respondent Nos.1 and 2 - **absent**

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 06th AUGUST, 2021.

PER COURT :

1 Heard learned Advocate appearing for the applicant. Learned Advocate for respondent Nos.1 and 2 is absent. Respondent No.3 was served.

2 Present application has been filed for getting delay of 39 days condoned in filing Second Appeal. Present appellant is the original defendant, who intends to challenge the Judgment and Decree passed by learned Adhoc District Judge-1, Nanded on 09.12.2016 in Regular Civil Appeal No.162/2012, thereby allowing the appeal filed by the present respondents-original plaintiffs and consequently setting aside Judgment and

order passed in Special Civil Suit No.136/2007 dated 14.12.2009, by Civil Judge Junior Division, Nanded, dismissing the suit. The reasons those have been given in para No.21 have gone unchallenged on record. Though they may not be strictly convincing, yet, taking liberal view the delay stands condoned. Application stands allowed and disposed of. Registry to verify and register the Second Appeal and place it for further consideration on 03.09.2021.

(Smt. Vibha Kankanwadi, J.)

agd