

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**904 CIVIL APPLICATION NO.12430 OF 2021
IN SAST/17062/2021**

RAJANIBAI PRAKASH ATTARDE AND ANR
VERSUS
YESHWANT ANANDA PATIL AND ORS

...
Advocate for Applicants : Mr. G. A. Nagori, D. A. Madaky
Advocate for Respondents No.1 to 3 : Ms. Vidya P. Dhorde
...

CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 23-11-2021.

ORDER :

1. Present application has been filed for condonation of delay under the pretext that there is delay in filing of the second appeal.
2. It is to be noted that the appellants who are original defendants No.3 and 4 had faced Regular Civil Suit No.296 of 2011 filed by the present respondents/original plaintiffs and the suit for specific performance was decreed on 04-09-2015. Thereafter, present appellants had challenged the said decree in Regular Civil Appeal No.87 of 2016 which was dismissed by learned Principal District Judge, Jalgaon on 31-10-2020. However, due to lockdown the period of limitation to file the appeal has been extended in view of suo-motu PIL Nos.03 of 2021 and 01 of 2021 by Hon'ble Supreme Court and in view

of the same the present second appeal is within limitation.

3. In view of above, present application stands allowed and disposed of.

4. Registry to verify and register the second appeal and it be placed for admission on 03-12-2021.

5. In the meantime, the appellants to produce copy of the paper book and comply with the practice note dated 01-07-2021 by giving a copy of the same to the other side in advance.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-