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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

929 CIVIL APPLICATION NO.2105 OF 2016
IN SAST/20670/2014

UTTAM PARSHRAM BHOI AND ANOTHER
VERSUS
RATNABAI YUVRAJ PATIL AND OTHERS

Advocate for Applicants : Ms. Rasal Asha Sanjay Shinde
Sunita R
Respondent Nos.2 To 5 Served.

CORAM : SMT.VIBHA KANKANWADI,J.
DATE : 12th February, 2021.

PER COURT :-

1. Present application has been filed for condonation of delay of 116 days caused in filing the Second Appeal.
2. Heard learned Advocate for applicant.
3. Learned Advocate for Respondent No.1 is absent. None appears for Respondent Nos.2 to 5 though served.
4. Present applicants are original defendant Nos. 3 and 6. Present respondent No.1 (original plaintiff) filed a suit for permanent injunction i.e. RCC No.136/2003. It came to be decreed. It appears that original defendants preferred Regular Civil Appeal No. 148/2007 before the District Court

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at Jalgaon. It was heard by learned Principal District Judge, Jalgaon and it was dismissed on 1.1.2014. Now, the present applicants (original defendant Nos.3 and 6) want to file the Second Appeal, however, as aforesaid, there is delay of 116 days.

5. As the contents of the application have gone unchallenged on record and that the present applicants are coming from rural area, leniency is shown. Therefore, the application stands allowed and disposed of. The delay is condoned. Registry to verify and register the Second Appeal.

(SMT. VIBHA KANKANWADI)
JUDGE

BDV