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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 CIVIL APPLICATION NO.5350 OF 2017
IN SAST/37826/2015

KALAVATI KASHINATH DAIANGADE DIED LRS PADMINIBAI
RANGNATH KARANDE
VERSUS
ASWANT RANGA KARANDE AND ORS

...
Advocate for Applicants : Mr. Ingale Vivekanand V.
Respondent Nos. 1 To 5 Served
Mr. R. V. Naiknaware, Adv. For R/6

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

PER COURT :-

1. Present application has been filed for condonation of delay of 54 days caused in filing the Second Appeal.

2. Heard learned Advocate for applicant and learned Advocate for Respondent No.6. None appears for Respondent Nos.1 to 5 though served.

3. Present applicant is legal heir of original plaintiff who filed RCS No.13/2003 for declaration and injunction of suit land, which came to be decreed by the trial court on 30.8.2007. Aggrieved by the same, the original defendant No.6 filed Regular Civil Appeal No.233/2008 and the said appeal came to be allowed by judgment and order

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dated 8.7.2015. The applicant intends to challenge the said order of the appellate court by way of this Second Appeal. However, as aforesaid, there is delay of about 54 days.

4. Though learned Advocate for Respondent No.6 has opposed the application, however, for the reasons stated in the application, the application stands allowed and disposed of, subject to costs of Rs.3,000/- to be deposited in this Court within fifteen days from today. After deposit of the amount, the Respondent No.6, being a contesting party alone, be paid the said cost. The delay is condoned. Registry to verify and register the Second Appeal.

(SMT. VIBHA KANKANWADI)
JUDGE

BDV