

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****I.A. NO. 1464 OF 2021****IN****SECOND APPEAL (STAMP) NO. 6434 OF 2021**

Rajaram Ishwara Jamdar

.....Applicant.

Vs.

Smt. Pushpa Bhalchandra Kale & Ors.

.....Respondents.

Mr. Sandesh Patil i/by Divya A. Patil for the Applicant.

Mr. Tejpal S. Ingale for the Respondents.

CORAM : A. S. GADKARI, J.**DATE : 28th JULY, 2021.****(Through Video Conferencing)****P.C.:-**

This is an Application for condonation of 591 day's delay in filing the present Second Appeal.

2 Mr. Ingle, learned counsel appearing for the Respondents vehemently opposed the said Application and submitted that, no proper explanation for condonation of such an inordinate delay is offered by the Applicant and therefore, the present Application may be dismissed.

3 Perusal of Application would indicate that, sufficient cause for condonation of delay is made out.

In view thereof and in the interest of justice, the delay is condoned subject to condition that, the Applicant shall pay costs of

Rs.5,000/- to the High Court Legal Services Committee, Mumbai within a period of two weeks from today.

The Applicant to pay/deposit the costs in the account namely “High Court Legal Aid Fund”, Account No. 60045304283, IFSC-MAHB0000002 of the Bank of Maharashtra, Branch-Fort, Mumbai-400032, maintained by the High Court Legal Services Committee, Mumbai, Room No. 105, 1st Floor, PWD Building, High Court, Mumbai and to furnish the details of such costs to the High Court Legal Services Committee, Mumbai and obtain the receipt thereof physically or through Email i.e. hclsc.mumbai@gmail.com which shall be the proof of such payment/deposit.

4 Subject to deposit of the aforesaid costs, delay is condoned and the Application is allowed in terms of prayer clause (a).

It is made clear that, if the Applicant fails to deposit the aforesaid costs within stipulated period, the present Application so also the Second Appeal shall stand dismissed without further reference to this Court.

All the concerned to act on the basis of an authenticated copy of this Court.

(A.S. GADKARI, J.)