

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 4199 OF 2019****IN****CIVIL REVISION APPLICATION (ST.) NO.31637 OF 2019**

Smt. Aruna Jaising Patil

Deceased through Lrs.

Mr. Sanjay J. Patil (deceased through Lrs.)

Smt. Vijaya Sanjay Patil

... Applicant.

V/s.

Shri. Mahadev Dattaram Dhuri and Ors.

... Respondents

Mr. Prosper D'souza, Advocate for Applicant.

Mrs. Geetanjali Joglekar for Respondent Nos.1 to 5.

CORAM : A.S. GADKARI, J.**DATE : 21st October, 2021.****PC. :**

1. This is an Application for condonation of delay of 160 days in filing the present Revision Application impugning the Order dated 30th August, 2012 passed in R.A.E. & R. Suit No.1487 of 1999 by the Trial Court and upheld in Appeal No.53 of 2012 by the learned Appellate Bench of the Court of Small Causes Court at Mumbai, by its Order dated 7th June, 2019.

2. Learned counsel for the Respondent Nos.1 to 5 opposed the Application. She submitted that, the said Respondents have filed a detailed reply in opposition to the present Application.

3. Record indicates that, Respondent Nos.6 to 8 could not be served at the address mentioned in the cause-title of the Application.

Learned counsel for the Applicant and Respondent Nos.1 to 5 submitted that, as a matter of fact, Respondent Nos.6 to 8 are not necessary parties for the decision of the present Application so also Revision Application and present Application may be heard in their absence.

4. Perusal of Application would indicate that, sufficient cause is made out by the Applicant for condonation of delay.

5. In view thereof and for the reasons stated in the Application, delay is condoned and the Application is allowed in terms of prayer clause (a).

[A.S. GADKARI, J.]

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