

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1500 OF 2018
WITH
CIVIL APPLICATION NO.1501 OF 2018
IN
SECOND APPEAL (STAMP) NO.5711 OF 2017**

Chandrabhaga Ganpat Ingale and
Ors.

...Applicants

Versus

Sitaram Yashwant Ingale and Ors.

...Respondents

....

Mr. Keshav Borhade for the Applicants.

CORAM : ANIL S. KILOR, J.

DATED: 19th JANUARY, 2022

P.C.:-

1. None for the Respondents, though served. Mr. Borhade, learned counsel for the Applicant submits that there is a delay of 73 days in filing the second appeal challenging the judgment and decree dated 29/08/2016 passed by the learned District Judge, Ratnagiri in Regular Civil Appeal No.75 of 2014.

2. It is submitted that the Applicants have pointed out sufficient reasons for condonation of delay in the application, more particularly in paragraph Nos.8, 9 and 10.

3. After considering the reasons stated in the application, more particularly in paragraph Nos.8 and 9 and further in absence of opposition from the Respondents to allow this application by filing reply, I am of the opinion that delay caused in filing the second appeal needs to be condoned. Accordingly, I pass the following order:-

ORDER

- (i) The application for condonation of delay is allowed;
- (ii) The delay caused in filing Second Appeal is condoned.

The office is requested to register the Second Appeal and place the same before the Court for admission.

(ANIL S. KILOR, J.)