

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**SECOND APPEAL NO.674 OF 2017
WITH
INTERIM APPLICATION NO.2950 OF 2020
IN
SECOND APPEAL NO.674 OF 2017
WITH
INTERIM APPLICATION NO.16618 OF 2022
IN
SECOND APPEAL NO.674 OF 2017
WITH
CIVIL APPLICATION NO.1080 OF 2017**

Suman Sukhadeo Avhad And Ors. ...Applicants

In the matter between

Sukhadeo Murlidhar Avhad & Anr. ...Appellants

vs.

Babu Deoram Sanap ...Respondent

....

Mr. Yatin R. Shah, for the Appellants/Applicants.

None for the Respondent.

....

CORAM : S.M. MODAK, J.

DATE : 2 AUGUST 2022

P.C. :

Heard learned Advocate for the Appellants/Applicants.

2. As directed by this Court, copies of these applications are served on the learned Counsel for the Respondent. Affidavit of service is filed on record. Today, no one is present. There is a delay of 6 months and 28 days in Interim Application No.2950 of 2020. Delay is properly explained in para nos. 6 and 7 of the said application. Whereas, in Interim Application No.16618 of 2022, there is a delay of 9 months and 21 days. It is explained in para nos. 5, 6 and 7 of the applications. The reasons are satisfactory.

3. In view of that, delay is condoned and both the applications are allowed in terms of prayer clauses (a), (b) and (c). Necessary amendment be carried out within two weeks. Copy be supplied to the Respondent.

4. Both Interim Applications are disposed of. Interim relief granted earlier to be continued till the next date.

5. The second appeal along with the civil application is stood over to 6 September 2022.

(S.M. MODAK, J.)