

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.294 OF 2019

IN

REJECTED CASE NO.2373 OF 2019

(SECOND APPEAL (STAMP) NO.7059 OF 2019)

Rajaram Jyoti Katte And Anr.

...Applicants

vs.

Shri. Krushna Vishnu Shirsat

...Respondent

....

Mr. Praveen B. Kamble, a/w. Mr. Priyal G. Sarda, for the Applicants.

....

CORAM : S.M. MODAK, J.

DATE : 13 SEPTEMBER 2022

P.C. :

Interim Application No.294 of 2019

Heard. Perused order dated 22 July 2019 passed by learned Registrar (Judicial-II). Also perused the order dated 11 July 2022 passed by this Court. The Applicants have removed the office objections within the period of two weeks. There is also a remark in the Farad Sheet. The sole Respondent is also served. There is no appearance. In view of that, the application is allowed in terms of prayer clause [A].

Second Appeal (Stamp) No.7059 of 2019

Heard. The present Appellants were the defendants. The suit filed by the Respondent for specific performance was decreed by the trial court. The defendants were intending to file first appeal. There was a delay in filing that appeal. First appellate court refused to condone the delay as per the order dated 22 March 2018.

2. The said order is challenged by way of this second appeal. Considering the short controversy involved, issue notice for final disposal to the Respondent at admission stage returnable on 11 October 2022. Additionally, private service is allowed. Service affidavit be filed.

(S.M. MODAK, J.)