

Sushma

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9331 OF 2012
IN
SECOND APPEAL STAMP NO. 28774 OF 2011

Shivaji Sukhdeo Lahane ... Applicant

Versus

Latabai Shivaji Lahane ... Respondent

...
Mr. N.C. Garud – Advocate for Applicant
Mr. Y.S. Mulay (Pawar) h/f. Mr. M.M. Patil (Beedkar) – Advocate for
Respondent

....

CORAM : GAURI GODSE, J.
DATE : 03rd March, 2023

PER COURT :

1. This application is for condonation of delay of 59 days in filing the Second Appeal.
2. Notice to the respondent is served.
3. Learned Advocate appearing for the respondent states that as per her instructions, the parties have settled the dispute between them amicably during the pendency of the appeal in the District Court. This Civil Application is pending for hearing. There is no affidavit in reply filed to oppose the application.
4. The reasons mentioned in the Civil Application are satisfactory

and condonable. Hence, for the reasons stated in the application, delay for filing the Second Appeal is condoned. The Civil application is allowed in terms of prayer clause 'b', which reads thus :

“b. To condone the delay for final disposal of this application the further proceedings in Spl. Darkhast No. 3/2010 which is pending before the learned C.J.S.D. at Jalna be stayed.”

5. Office is directed to register the Second Appeal and list it for admission on 28th April, 2023.

[GAURI GODSE, J.]