

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 13555 OF 2023  
IN  
APPEAL FROM ORDER(ST) NO. 15995 OF 2023

WITH  
INTERIM APPLICATION (ST.) NO. 15996 OF 2023  
IN  
APPEAL FROM ORDER(ST) NO. 15995 OF 2023

Bhooshan Prabhakar Bandiwadekar ... Applicant  
Versus  
Pradip Parshuram Tondvalkar ...Respondent  
...  
Mr. Kavita M. Pawar, for Applicant.

...

CORAM : SANDEEP V. MARNE, J.  
DATE : 06 NOVEMBER, 2023

**P.C.:**

1. The Interim Application No.13555 of 2023 is filed for condonation of 1 year & 111 days' delay in filing the Appeal from Order. It appears that the Appellant had earlier filed Second Appeal (St.) No.18803 of 2022 in this Court challenging the Judgment and Decree dated 18 December 2021 passed by the lower Appellate Court. The Second Appeal came to be withdrawn on 20 April 2023. After withdrawal of the Second Appeal, the present Appeal from Order is filed. Notices were issued in the present Appeal

to the Respondents by order dated 26 July 2023. Advocate has filed appearances on behalf of Respondent Nos.1 & 2. Respondent No.3 is reportedly dead. Today none appears for Respondent Nos.1 & 2.

2. Considering the averments made in the application, the same is allowed. Delay in filing the present Appeal from Order is condoned. Interim Application No. No.13555 of 2023 is disposed of.

3. List the Appeal along with Interim Application No.15996 of 2023 for admission on **01 December 2023**.

**(SANDEEP V. MARNE, J.)**