

Pallavi

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

**CIVIL APPLICATION NO.1115 OF 2019
IN
SECOND APPEAL (ST) NO.13825 OF 2019**

Baban Jagannath Narute

(deceased through legal heirs)

1a. Smt. Changuna Baban Narute & Ors.

...Appellants/Applicants

Versus

Shri Santosh Ramhari Narute & Ors.

...Respondents

**WITH
SECOND APPEAL NO.181 OF 2019
WITH
CIVIL APPLICATION NO.339 OF 2019
WITH
CIVIL APPLICATION NO.1116 OF 2019
WITH
CIVIL APPLICATION NO.1117 OF 2019**

Sou. Yamuna Maruti Kargal and Ors.

... Appellants

Versus

Shri. Santosh Ramhari Narute and Ors.

... Respondents

Ms. Savita A. Prabhune for the Appellants/Applicants in SA(ST)/13825/2019 and for Applicants in CAS/1115/2019, CAS/1116/2019 and CAS/1117/2019 in SA(ST)/13825/2019.

Mr. Sudhir V. Sadarvarte for the Appellant in SA/181/2019 and for the Applicant in CAS/339/2019 in SA/181/2019.

Mr. S.M. Oak a/w Mr. Sagar Joshi, Mr. Vinod Utekar and Vijay Nene for the Respondent Nos.1 to 3.

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CORAM : MADHAV J. JAMDAR, J.

DATED : 30th JANUARY 2023

P.C. :

1. There is delay of 22 days in filing the Second Appeal. Mr. Suhas Oak, learned counsel appearing for the Respondent Nos.1 to 3 i.e. original plaintiffs strongly opposes the application. However, for the reasons set out in the Civil Application, as sufficient grounds are given, Civil Application is allowed in terms of prayer clause (b).
2. Stand over to 6th February 2023 for admission.
3. Ad-interim relief to continue till next date on the condition that the Appellants shall not create third party interest.

[MADHAV J. JAMDAR, J.]