



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

932 CIVIL APPLICATION NO. 9458 OF 2023
IN SECOND APPEAL (ST) NO. 22977 OF 2023

SMT. SHANTBAI SHRIRAM RATHOD AND OTHERS
VERSUS
SHRI. JOSHI GANA RATHOD AND OTHERS

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Mr. Amit A. Mukhedkar – Advocate for Applicants

Mr. Umesh S. Mote – Advocate for Respondent Nos.1, 2, 7 and 8

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 27th August, 2024

PER COURT :

1. Heard rival submissions.
2. Despite last chance reply is not filed by respondent Nos.1, 2, 7 and 8. This application is filed for condoning the delay of 542 days in filing the Second Appeal. Though the application is opposed but considering the statutory right of the applicants for claiming partition in remaining suit properties, the application stands allowed in terms of prayer clause – B subject to deposit of cost of Rs.1,000/- (rupees One Thousand only) to be paid to the Library, Advocates Association of High Court, Bombay, Bench at Aurangabad within two weeks.
3. The application is disposed of accordingly.

[SANDIPKUMAR C. MORE, J.]