



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

925 CIVIL APPLICATION NO. 1998 OF 2021
IN SECOND APPEAL (ST) NO. 32200 OF 2015
WITH
CIVIL APPLICATION NO. 1997 OF 2021 IN SAST/32200/2015
WITH
CIVIL APPLICATION NO. 1996 OF 2021 IN SAST/32200/2015

BHIMRAJ LAXMAN PANHALE AND OTHERS
VERSUS
DILIP DNYANDEO DUKRE AND ANOTHER

...
Mr. Sanjay S. Dudhane h/f. Mr. P.S. Dighe – Advocate for Applicants
Mr. Y.R. Shinde h/f. Mr. Rahul R. Karpe – Advocate for Respondent
Nos.1 and 2
Mr. D.B. Bhange – AGP for Respondent No.3, State

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 6th September, 2024

PER COURT :

CIVIL APPLICATION NO. 1997 OF 2021

1. Learned A.G.P. waives service for respondent No.3.
2. Heard rival submissions.
3. This application is filed by the applicants/appellants for adding the present respondent No.3 as party respondent No.3 in the main appeal as he was original defendant No.5 in Regular Civil Suit No.297 of 2004. The addition sought by the applicants is of technical nature and as such, the application stands allowed in terms of prayer clause 'A' and disposed of accordingly.

4. Amendment be carried out within stipulated period.

CIVIL APPLICATION NO. 1998 OF 2021

5. Heard rival submissions.

6. This application is filed for condonation of delay of only 8 days in filing Second Appeal. Learned Counsel for respondent Nos.1 and 2 strongly opposed the application on the ground that, though this appeal was filed in the year 2015 but it took almost six years to register the appeal by removing office objections. As such, the negligence of appellants is apparent from the record.

7. In view of the same, the application stands allowed in terms of prayer clause 'A' subject to deposit of cost of Rs.5000/- (rupees Five Thousands only) to be paid to the Library, Advocates Association of High Court, Bombay, Bench at Aurangabad within two weeks.

8. The Civil Application is accordingly disposed of.

9. List Civil Application No.1996 of 2021 on 20th September, 2024.

[SANDIPKUMAR C. MORE, J.]