



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.787 OF 2024
(e-filing)
IN
REJECTED CASE NO.2168 OF 2019

Shree Vithal Pandurang Mane ... Applicant.

Versus

Shree Ramchandra Pandurang Mane ... Respondent.

Mr. Venkatesh Shinde a/w. Mr. Akash Pandey and Mr. Ishan Paradkar i/by J. Shekhar Associates, for the Applicant.

Mr. Prathamesh Sawant i/by Mr. Mandar Limaye, for the Respondent Nos.6-B, 6-C, 6-D, 6-E1, 6-E2, 21/1, 21/2 and 22.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : MARCH 06, 2024

P. C.:

1. Learned counsel appearing for the Applicant submits that the Respondents have been duly served through private notice.

Mr. Sawant, learned counsel appears for Respondent Nos.6-B, 6-C, 6-D, 6-E1, 6-E2, 21/1, 21/2 and 22. None appears for the other Respondents.

2. The Application has been filed seeking condonation of delay of 64 days caused in filing the Second Appeal. The Second

Appeal has been preferred against the impugned judgment of the Appellate Court dated 31st October, 2017. It is pleaded that the Applicants hail from Sangli and were not aware of Advocates in Mumbai for the purpose of filing the Second Appeal. It was contended that after much effort, present Advocate was engaged and hence there is delay of 64 days caused in filing the present Civil Application.

3. Learned counsel appearing for the Respondent Nos.6-B, 6-C, 6-D, 6-E1, 6-E2, 21/1, 21/2 and 22 do not seriously oppose the condonation of delay.

4. For the reasons stated in the Application, Application is allowed and the delay of 64 days is condoned.

(Sharmila U. Deshmukh, J.)