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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 11630 OF 2024
WITH
INTERIM APPLICATION NO. 11631 OF 2024
IN
SECOND APPEAL(ST) NO. 19257 OF 2024**

Sangli Miraj and Kupwad Cities ... Applicant/Appellant
Municipal Corporation Sangli

vs.

Kailas Shamrao Mulake and Ors ... Respondents

Mr. Vikram N. Walawalkar for Applicant/Appellant.

CORAM : GAURI GODSE, J.

DATED : 7th JANUARY 2025

ORDER:

INTERIM APPLICATION NO. 11630 OF 2024

1. This application is for condonation of delay in filing the appeal. Learned counsel for the appellant submits that the impugned decree was passed on the compromise pursis between the plaintiff and heirs of defendant no.1. He submits that the appellant was not intimated about such compromise.

2. He submits that the compromise terms affect the appellant's

right as the suit property according to the appellant is owned by the appellant.

3. He, therefore, submits that the second appeal would raise substantial questions of law as to whether the first appellate court could have accepted the compromise terms and passed the decree without hearing the appellant.

4. Issue notice to the respondent returnable on 1st April 2024.

5. In addition to Court notice, learned advocate for the applicant to serve the respondents, by private notice and file affidavit of service, before the next date.

6. Since, the soft copy is not accessible, learned counsel for the appellant has tendered a hard copy of the second appeal compilation and application for condonation of delay which is taken on record.

7. A copy of this order be forwarded to the learned Registrar(Judicial-I) and learned Registrar, CPC for information and necessary action.

(GAURI GODSE, J.)