

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

Mohite

**CIVIL APPLICATION NO.489 OF 2013  
IN  
SECOND APPEAL ST.NO.10163 OF 2013**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.Nitin Mulye for the applicant

Mr.Rakesh R. Bhatkar for respondent nos.2 to 4

**CORAM : K.K.TATED, J.**  
**DATE : 29/11/2013**

**PC:**

1 Heard the learned counsel for the parties.

2 This application is preferred by original plaintiff for condonation of 150 days delay in preferring the Second Appeal against judgment and decree dt.25.7.2012 passed by Ad-hoc District Judge-1, Ratnagiri in Civil Appeal No.86 of 2008.

3 The learned counsel for respondent nos.2, 3 and 4 vehemently oppose the present Civil Application. He submits that applicant has not shown sufficient cause for condonation of 150 days delay in preferring the present Second Appeal.

4      Considering the submissions made by the learned counsel for the applicant and the reasons disclosed in para nos.2, 3, 4 and 5 of the Civil Application, I am satisfied that applicant has made out a case for allowing Civil Application.

5      Civil Application is allowed in terms of prayer clause (a) which read thus:

“(a) This Hon'ble Court may be pleased to condone the delay 150 days in filing the above Second Appeal.”

6      Applicant to pay cost of Rs.1500/- to respondent nos.2, 3 and 4 jointly.

7      Civil Application is disposed of accordingly.

**(K.K.TATED, J.)**