



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1222 OF 2010**

IN

SECOND APPEAL (STAMP) NO. 11857 OF 1995

Swapnil

The State Of Maharashtra

and Ors.

...Applicants/Appellants

Vs.

Kesarimal Indrachand Oswal

and Ors.

...Respondents

Mr. D. J. Haldankar, AGP for the State/applicants.

CORAM : GAURI GODSE, J.

DATE : 7th APRIL 2026

ORDER :

1. This second appeal is pending on an application for condonation of delay.

2. The impugned decree is dated 31st March 1994. Respondent no.1 is the original plaintiff in whose favour there is a decree directing defendant nos. 1 to 3, i.e. the appellants and defendant nos. 4 to 32 and 34 to handover the possession of the suit land in terms of resolution dated 13th March 1980 issued by the social welfare department of the

State Government.

3. There is no interim relief granted in this second appeal. Office remark shows that the second appeal stands abated against defendant nos. 1 and 2. The second appeal stands dismissed or abated against almost all the defendants except defendant no.31. Various applications are filed by the appellants including the application for restoration of the civil application for condonation of delay.

4. Since this second appeal has remained pending since the year 1995, I called upon the learned AGP to point out whether the second appeal raises any substantial question of law. Since the decree was passed in 1994, the learned AGP seeks time to take instructions from the learned collector, Alibag as to whether the decree is already executed.

5. At the request of the learned AGP, stand over to 15th April 2026.

6. To be listed first on the board.

[GAURI GODSE, J.]