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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1081 OF 2018
IN
SECOND APPEAL (ST) NO. 20566 OF 2014

Shri Rangnath Kisan Boraste... Appellants/Applicants
and Others

Vs.

Shri Vishwanath Santu Boraste... Respondents

Mr. Aryavrak Dube i/b. Mr.Monish Vig for the Appellants.

CORAM : GAURI GODSE, J.

DATE : 29th APRIL 2026

ORDER :

Civil Application No. 1081 of 2018

1. This application is for condonation of delay in filing the second appeal. Learned counsel for the applicants submits that the reasons for the delay and the steps taken to file the second appeal are explained in the application.

2. Learned counsel for the applicants was called upon to point out whether the second appeal raised any substantial question of law. He submits that the second appeal raises substantial question of law on the point of the nature of the

transaction. He submits that the transaction was not for sale of the suit property, but it was executed only as document for security of the loan taken from the plaintiff for marriage expenses of defendant no. 5's daughter.

3. Learned counsel for the applicants further submits that the second appeal would also raise substantial question of law on the interpretation of the terms and conditions of the contract as there is no evidence that the possession was handed over to the plaintiff as contended by him and the revenue record showed the names of defendants in respect of suit property.

4. In view of the aforesaid submissions, issue notice to respondents returnable on 24th June 2026.

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

6. Learned counsel for the appellants shall ensure that copies are supplied and court notice is issued by taking hamdast.

[GAURI GODSE, J.]