

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

FIRST APPEAL (ST) NO. 27798 OF 2023

Tukaram Pawar (since deceased) ..Appellants
through his legal heirs & representatives

Versus

Nilkanth Anant Rane ..Respondent

WITH
IA NO. 17663 OF 2023
WITH
IA NO. 17664 OF 2023
IN
FA(ST) NO. 27798 OF 2023

Mr. Vikram Walawalkar a/w. Ms. Bhakti Jogal, Advocates, for the
Appellants
Mr. Ramdas Hake Patil, Advocate, for the Respondent

CORAM : RAJESH S. PATIL, J.

DATE : 16.04.2026

P. C.

1. Mr. Hake Patil, learned Counsel for the Respondent (Original Plaintiff) submits that in the present proceeding, the decree is already executed and his client has already taken possession of the suit premises prior to filing of the suit and the Sale Deed has been executed in favour of the Plaintiff by the registry of the City Civil Court, Mumbai pursuant to the directions issued in the impugned Judgment and Decree passed by the City Civil Court, Mumbai. He further submits that

by an Order dated 17.03.2026 issued on an Application preferred under Section 22(2) of the Maharashtra Co-operative Societies Act, 1960, it has been further directed that as regards the suit premises, the Respondent be made a member of the housing society. He submits that a meeting of the society to that effect was already held today of which he is not aware of the outcome of the meeting.

2. Mr. Walawalkar, learned Counsel for the Appellants submits that the present Appeal along with delay condonation Application seeking to condone the delay of 7 years and 4 months approximately have been filed and in fact, the delay is of 2 years only.

3. Without prejudice to the rights and contentions of both the parties, some workable proposal/suggestion was put to both the parties with regard to their dispute. In order to take instructions from their respective clients, they requested that two weeks time may be granted to them.

4. Stand over to **22.04.2026** under the caption "*For Directions*".

(RAJESH S. PATIL, J.)