

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CAS NO.668 OF 2015
IN
SA ST.NO.14472 OF 2015
Sau. Chanda Raut
..vs..
Liladhar Pohane and ors

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri D.M. Surjuse, counsel for the Applicant/Appellant.
Shri S.U. Nemade, counsel for NA No.1/Resp.

CORAM : A.P. BHANGALE, J.
DATE : AUGUST 31, 2015.

Heard.

This is an application for condonation of delay of 213 days caused in filing the second appeal.

Learned counsel for non-applicant No.1/respondent strongly opposes the application on the ground that delay of 213 days is huge and that the First appellate Court had dismissed the application on the ground of delay itself.

Considering these submissions and the fact that the decree was granted by the Trial Court in favour of the plaintiff/respondent for specific performance of contract, it would be better if the parties are given opportunity of hearing in the interest of justice to adjudicate the dispute on merits.

Hence, for the reasons stated in the application, the application is allowed and delay is

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condoned subject to payment of costs of Rs.500/- to be deposited with the High Legal Services Sub Committee, Nagpur.

The application is disposed of.

JUDGE

!! BRW !!

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