

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3815 OF 2015
IN
FIRST APPEAL St NO.345371 OF 2014**

Laxmi Baburao Darekar

..Applicant

Vs.

Uttam Vitthal Sawant & Anr

..Respondents

**Mr. Anil S. Kalekar i/b Mr. Sachin Dhakephalkar for the Applicant
Ms Bhagyashree Belkar i/b Mr. H. r. Pawar for the Respondent No.1
Mrs. Aparna Murlidharan i/b Mr. P. G. Lad for the Respondent No.2**

CORAM : R. M. SAVANT, J.

DATE : 28th JUNE, 2016

P.C.

1 The above Civil Application has been filed seeking condonation of delay of 59 days in filing the above First Appeal. The reasons therefor are mentioned in the above Civil Application. The sum and substance of the reasons are that the Applicant / Appellant did not have the financial wherewithal to file the above First Appeal and only after she could make the arrangements that the above First Appeal has been filed. It is also averred that the Applicant / Appellant is not aware of the niceties in law and therefore she was not aware as to the requirement of filing a First Appeal against the decree passed. The Learned Counsel appearing for the Respondent No.1 and the Learned Counsel appearing for the Respondent No.2 oppose the application and question the reasons mentioned for the delay.

2 In my view, having regard to the reasons mentioned in the above Civil Application they can be said to be the plausible reasons for the said delay of 107 days occurring in filing the above First Appeal. The Civil Application is accordingly allowed, resultantly the delay of 107 days in filing the above First Appeal stands condoned. List the above First Appeal for admission on 19-7-2016. The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]