

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

CIVIL APPLICATION (CAF) NO.3462 OF 2015
IN
FIRST APPEAL ST. NO.14708 OF 2015

Pandhari s/o Kashiram Fulzele and anr.

-vs-

L. G. Gurubaxani (Dead) Thr. legal heir Ashok s/o Lalchand Burubaxani, Kadbi Chowk, Nagpur
and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Ms M. Pathade, Advocate for appellant/applicant.
Shri M. N. Ahmed, Advocate for respondent No.2.

CORAM : A.S.CHANDURKAR, J.
DATE : February 23, 2017

By this application, the applicants pray that the delay in filing the appeal be condoned. In the application it is stated that on account of financial constraints the appeal could not be filed within the period of limitation.

The application is opposed by the learned counsel for respondent No.2 by relying upon the reply. It is submitted that no sufficient cause has been shown for the delay to be condoned.

Perused the application as well as the reply. I do not find that the delay as caused is deliberate. Hence the application is allowed and delay stands condoned. Civil application is allowed and disposed of.

F.A.St. No.14708 of 2015

Heard. **Admit.** Call for record and proceedings.

Shri M. N. Ahmed, learned counsel waives notice on behalf of respondent No.2.

Appellant to file paper-book within period of six months from today.