

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (S) NO.86 OF 2015
IN
SECOND APPEAL ST. NO.24656 OF 2014

ARUN NARAYANRAO KULLARWAR
VS
THE STATE OF MAHARASHTRA AND OTHERS

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

Court's or Judge's orders

Shri Abhay Bhide, Advocate for the appellant.
Ms. Tajwar Khan, AGP for respondent Nos.1 to 3.
Shri B. D. Pandit, Advocate for respondent Nos.4 & 5.
Shri Rahul D. Tajne, Advocate for the respondent No.6.

CORAM : A.S. CHANDURKAR, J.
DATED : JUNE 06, 2017.

Prayer is to condone delay in filing second appeal. In the application, it is stated that the judgment of the appellate Court was delivered on 23-4-2014 and the application for certified copy was made on 25-4-2014. Though the certified copy was ready on 29-5-2014, the same was collected on 28-11-2014. It is stated that the delay as caused is not deliberate and the same may be condoned.

The application is opposed by the learned Counsel appearing for respondent Nos.4 and 5. It is stated that no sufficient cause or explanation has been furnished by the appellant for not collecting the certified copy.

The applicant is the original plaintiff who has filed suit for possession. The suit has been dismissed by the trial Court and the appeal filed by him has also been dismissed. Considering the reasons mentioned in the

application, I do not find that the delay has been deliberately caused especially when no relief was granted either by the trial Court or the appellate Court.

Hence, accepting reasons mentioned in the application the delay stands condoned.

Civil application is allowed and disposed of.

SECOND APPEAL ST. NO.24656/2014.

Stand over 13-6-2017.

JUDGE

/MULEY/