

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

CIVIL APPLICATION NO.10014 OF 2018 IN
SECOND APPEAL ST. NO.19527 OF 2018

Ghanshamdas s/o Balchand Ahuja ...APPLICANT

VERSUS

Sangeeta w/o Krishna Kulthe ...RESPONDENT

.....
Shri S.R. Deshpande, Advocate for applicant
Shri P.N. Sonpethkar, Advocate for respondent
.....

CORAM: A.M. DHAVALÉ, J.

DATED : 29th October, 2018.

ORAL ORDER :

1. Heard learned Advocates for the parties. The first appeal was decided on 5.3.2018. Around 6 days were required for obtaining certified copies. The appeal period came to an end during Vacation. The appeal could have been filed on the first day of re-opening of the Court. It is filed on 9.7.2018. There is delay of around 31 days. The applicant states that, he had engaged one Advocate and had provided copies to him, but the said Advocate left for Parbhani and did not return the papers. He was required to again apply for certified copies and it took some

time. He was required to engage another Advocate. Besides, he is old and is suffering from diabetes and he has executed power of attorney in favour of his son.

2. The provisions of Limitation Act should be strictly followed and should be respected. Casual approach is not warranted. There is cause for delay, but not fully justified. Considering the facts, the application for condonation of delay is allowed subject to costs of Rs.1000/- (Rupees one thousand) payable to the respondent within 15 days from today.

(A.M. DHAVALE)
JUDGE

fmp/