

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

**CIVIL APPLICATION (CAS) NO.192 OF 2018**  
**IN**  
**SECOND APPEAL ST. NO.1768 OF 2018**

Harishchandra s/o Manikrao Deshmukh and ors.

-vs-

Motigir s/o Ratangir Goswami and anr.

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

Court's or Judge's Orders.

Shri S. K. Bhoyar, Advocate for applicants/appellants.  
Shri J. R. Kidilay, Advocate for respondents.

**CORAM : A.S.CHANDURKAR, J.**  
**DATE : July 23, 2018**

By this application it is prayed that the delay in filing the second appeal be condoned. The reasons for the cause of delay are mentioned in paragraphs 3 to 6 of the application. A medical certificate is also placed on record.

The application is opposed by the learned counsel for the non-applicant on the ground that the reasons mentioned are not sufficient.

Considering the reasons mentioned in the application which are found to be acceptable, the delay in filing the second appeal stands condoned.

Civil Application is allowed and disposed of.

**Second Appeal St. No.1765 of 2018.**

Heard.

Issue notice on the following substantial question

of law :

*“ Whether the entire evidence on record has been considered while exercising discretion in favour of the plaintiffs while passing the decree for specific performance ?”*

Shri J. R. Kidilay, learned counsel waives notice on behalf of the respondents.

Put up on **01/08/2018**.

**JUDGE**

Asmita  
Adwait  
Bhandakkar

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