

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.S. NO. 1113/2018 IN SECOND APPEAL ST. NO. 5890/2017
 (WASUDEO KESHAVRAO GAURKHEDE VERSUS SUDHAKAR KESHAVRAO GAURKHEDE)

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

Court's or Judge's orders

Shri A.R. Ingole, counsel for the applicant.
 Shri S.M. Nafde, counsel for the non-applicant.

CORAM : A.S. CHANDURKAR, J.

DATE : OCTOBER 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 paragraph 2 of the application.

The prayer is opposed by the learned counsel for the non-applicant by stating that the reasons mentioned are not sufficient for condoning the delay.

Considering the fact that the suit filed by the present applicant for partition has been dismissed and that decree has been confirmed in the appeal, it is found that adjudication on merits is warranted. The reasons for the cause of delay appear to be acceptable. Hence, delay in filing the appeal stands condoned.

Civil application is allowed and disposed of.

JUDGE