

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

**22 CIVIL APPLICATION NO.14724 OF 2018  
IN SAST/24577/2018**

**SUMITRADEVI SUDESH KUMAR SAKLECHA  
VERSUS  
SUNIL KISHANLAL JAISWAL**

...

Mr. S.B. Deshpande, Advocate for the applicant

Mr. Mobin H. Shaikh, Advocate h/f Mr. V.R. Dhorde, Advocate for the sole  
respondent

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**CORAM : SMT. VIBHA KANKANWADI, J.**

**DATE : 01<sup>st</sup> APRIL, 2019.**

**PER COURT :**

1 Present application has been filed for getting delay of 46 days condoned for filing Second Appeal. It is stated that after the decision of appeal it took some time for collecting documents and then instruct the Advocate for filing Second Appeal. In the meanwhile, she was also required to make arrangements for Court fees and other charges and therefore, the delay has been caused, which is not intentional.

2 The learned Advocate Mr. Mobin H. Shaikh holding for Advocate Mr. V.R. Dhorde has raised strong objection stating that the reason that has

been given by the applicant is not reasonable and sufficient. Each and every days delay has not been explained.

3           Taking into consideration the fact that the appellant is a lady, doing household work and the fact that she had collected the documents and was required to make arrangement for the Court fees and the other charges. The delay is of 46 days. It cannot be termed as huge and inordinate. Therefore, taking liberal approach the application deserves to be allowed. Hence, following order.

**ORDER**

1           The application is allowed.

2           The delay of 46 days in filing Second Appeal is hereby condoned.

3           Registry to verify and register the Second Appeal and place it for consideration on 02.05.2019.

4           The application is disposed of.

( Smt. Vibha Kankanwadi, J. )