

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1191 OF 2019
IN
SECOND APPEAL (ST) NO.9709 OF 2018

Shri Jagdish Laxman Bhoir ... Applicant/Appellant

V/s.

Shri Namdev Krishna Mokal ... Respondent

Ms. Ketki Gadkari for the applicant.

CORAM : SMT. SADHANA S. JADHAV, J
DATED : 5th December, 2019.

P.C. :

1. This is an application seeking condonation of delay in filing the second appeal under Section 100 of CPC. The delay is of 2 days.
2. The learned counsel submits that the judgment passed by the Civil Judge Junior Division, Pen in R.C.S. No. 243 of 2012 by judgment and decree dated 19th March 2015 has been upheld by the First Appellate Court i.e. the District Judge, Raigad-Alibaug and the appeal was dismissed vide judgment and order dated 16th November 2017. The appellant required sometime to consult an advocate to file an appropriate appeal. Hence, the same has caused the delay of 2 days in filing the second appeal.

3. Taking into consideration, the reasons assigned in paragraph nos. 2 and 3 of the application, the delay deserves to be condoned in the interest of justice. Hence, the delay is condoned. The application is allowed and stands disposed of.

(SMT. SADHANA S. JADHAV, J)