

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAS) NO. 760 OF 2019
IN
FIRST APPEAL ST NO. 12376 OF 2018

Tryambak Vinayak Deshpande and anr.

..VS..

Mohan Chandrashekhar Kully and anr.

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

Court's or Judge's orders

Shri A.A. Dhawas, Adv. for appellants.

Shri A.B. Mirza, Adv. for respondent nos 2 and 3.

CORAM : VINAY JOSHI, J.
DATED : 18th NOVEMBER, 2019

Heard.

2. This is an application seeking condonation of delay of 9 days caused in filing the Second Appeal. The appellant has contended in paragraph no. 4 that due to illness, he was unable to file the appeal within stipulated period. The other side has objected the ground canvassed for the delay.
3. Considering the marginal delay of 9 days and period of ailment, I hold that delay is made out the sufficient cause. Hence, delay caused in filing the appeal stands condoned. The Civil Application stands disposed accordingly.
4. Appeal be registered.

SECOND APPEAL ST. NO. 12376 OF 2019

Issue fresh notice.

Learned Counsel Shri A.B. Mirza waives notice
for all respondents.

JUDGE

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