

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

CIVIL APPLICATION 996 OF 2018

(Shri Shivdas Ganpat Ramteke thr LRs ..vs.. Smt. Kalabai wd/o. Shekhar Ramteke & ors)

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

Court's or Judge's orders.

Mr. A.D. Sonak, counsel for applicants.
Mr. R.A. Daruvala, counsel for respondent 1.
Mr. Amit Kukday, counsel for respondent 2.

CORAM: ROHIT B. DEO, J.

DATE: 2nd APRIL, 2019.

This application is taken out for condonation of delay of 2599 days in preferring the appeal. By the order impugned the first appellate Court has refused to condone the delay in preferring appeal challenging the judgment and decree of the trial Court by and under which the suit for declaration and possession is dismissed.

Since prima facie, the delay appears to be inordinate, I have looked into the record for the limited purpose of ascertaining whether an arguable case is made out.

The averments in the application seeking condonation of delay have gone un-controverted. I, therefore, accept the explanation for delay particularly in view of the fact that prima facie, the plaintiff appears to have an arguable case.

The delay is condoned.

Appeal be registered and listed on the admission board.

JUDGE