

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

WRIT PETITION NO. 7766/2019

(JALIL KHAN KHALIL KHAN **VERSUS** JABIULLA KHAN SALAMULLA KHAN)

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

Court's or Judge's orders

Shri V.S. Giramkar, counsel for petitioner.

CORAM : A.S. CHANDURKAR, J.

DATE : NOVEMBER 26, 2019.

In view of decision in *Shyam Sunder Sarma Versus Pannalal Jaiswal & Others* [2005 (1) Mh.L.J. 340], an appeal under Section 100 of the Code of Civil Procedure, 1908 is maintainable for challenging the order refusing to condone delay in filing an appeal under Section 96 of the Code.

Hence, the writ petition is permitted to be withdrawn with liberty to file the second appeal.

The points raised are kept open.

JUDGE

APTE