

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

WRIT PETITION NO.923/2018

Ruchit Dilip Korat

...Versus...

Vijay alias Balasaheb Pundalikrao Band

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

Court's or Judge's orders

Shri K.P. Mahalle, Counsel for petitioner
Shri N.R. Saboo, Counsel for respondent

CORAM : AVINASH G. GHAROTE, J.

DATE : 03/03/2020

This petition challenges the order of the District Judge – 4, Amravati dated 08/12/2017 in Misc. Civil Application No.71/2017, which is passed on an application under Section 5 of the Limitation Act seeking to condone the delay of 240 days caused in preferring an appeal against the judgment and decree passed in Regular Civil Suit No.247/2012.

It is a settled position of law that the impugned order is susceptible to challenge by way of second appeal. In that light of the matter, the present writ petition is not tenable and the same is dismissed. It shall be open for the petitioner to take recourse to appropriate proceedings, as permissible in law. No order as to costs.

JUDGE