

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 CIVIL APPLICATION NO.3348 OF 2017
IN SAST/5112/2017

SUNITA SAHEBRAO SHENDGE

VERSUS

RAMDAS KESHAV SHENDGE AND OTHERS

...

Mr. S.A. Dhumal, Advocate for applicant

Mrs. R.B. Ghule, Advocate for respondent No.1

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 11th FEBRUARY, 2021.

PER COURT :

1 Present application has been filed for getting the delay of 48 days condoned in filing Second Appeal.

2 Applicant is the original defendant No.5 and present respondent No.1 is the original plaintiff, who had filed Regular Civil Suit No.262/1998 for permanent injunction before Joint Civil Judge Junior Division, Newasa, Dist. Ahmednagar. The said suit came to be decreed on 25.02.2005. Present appellant/applicant preferred appeal i.e. Regular Civil Appeal No.35/2014 (old Regular Civil Appeal No.26/2015) before District Judge-1, Newasa and the said appeal came to be dismissed on 29.09.2016. The appellant wants to

challenge the said Judgment and Decree, however, as aforesaid there is delay of 48 days. Learned Advocate for the respondent No.1 is absent. Notice of the present application was duly served to the respondent Nos.2 to 5. Under such circumstance, whatever contentions have been raised in the paragraph No.2 have gone unchallenged. Further, it can also be seen that applicant appears to be the illiterate lady coming from rural background, and therefore, liberal approach is taken.

3 Application stands allowed and disposed of.

4 Registry to verify and register the Second Appeal.

(Smt. Vibha Kankanwadi, J.)

agd