

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

35 CIVIL APPLICATION NO.12973 OF 2021
IN SAST/15674/2020

GAJARABAI NIVRATTI MEKHALE
VERSUS
RAJKAMAL INDRAJ AGRAWAL AND ANOTHER

...
Advocate for Applicant : Mr. Hanmant V. Patil.
Advocate for Respondent Nos.1 & 2: Mr. Chaitanya Deshpande. (Absent).
...

CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 13th December, 2021.

P.C.:

. It is an application for condonation of delay moved by the applicant-original appellant/plaintiff.

2 Heard Mr. Hanmant V. Patil, learned counsel for applicant. Mr.Chaitanya Deshpande, learned counsel for respondent Nos.1 and 2 remained absent when the matter is called out.

3 It is pointed out by Mr. Patil, learned counsel for applicant that the office has incorrectly calculated the days of delay, which is figured 270 days. Mr. Patil, learned counsel submits that according to his calculation the delay is of 100 days. He further invited my attention to the copy of order passed by the Honourable Supreme Court in Miscellaneous Application No.665 of 2021 in SMW (C) No.3 of 2020 and submitted that the period of limitation has been extended by the

Honourable Supreme Court from 15th March, 2020 till 2nd October, 2021. A copy of order passed in Miscellaneous Application No.665 of 2021 is taken on record and marked as 'X' for identification.

4 Having regard to the order passed by the Honourable Supreme Court (supra), the Honourable Supreme Court was pleased to extend the period of limitation for any suit, appeal, application or proceeding for the period from 15th March, 2020 till 2nd October, 2021. The applicant has moved this application for condonation of delay in second appeal on 14th September, 2020. As such, there is no delay. With this, I proceed to pass the following order:

ORDER

- I. The delay, if any, stands condoned.
- II. The Registry is directed to register this appeal as per the procedure after due scrutiny and it be numbered and place before the Court for admission.

[SHRIKANT D. KULKARNI, J.]