

*Uday S. Jagtap*

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 837 OF 2019  
IN  
APPEAL FROM ORDER (ST.) NO. 14120 OF 2019**

Pradeep Eknath Shinde .. Applicant

Vs.

Suraj Prakash Bhoite .. Respondent

.....

Ms. Faiza Shaikh i/b Nandu Pawar for the applicant

Mr. Prasad Avhad i/b Kuldeep Nikam for respondent

**CORAM : PRITHVIRAJ K. CHAVAN, J.**

**DATED : 22<sup>nd</sup> FEBRUARY, 2021**

**P.C.**

1. This is an application for condonation of 172 days delay in filing the appeal.

2. Heard Ms. Shaikh holding for Mr. Nandu Pawar, learned Counsel for the applicant and Mr. Avhad, learned Counsel for the respondent.

3. The reason which has been precisely stated in paragraph 3 of the application is that the Medical Certificate of the applicant's wife has been misplaced, which the applicant could not find out. The said certificate depicts that the second wife of the applicant has undergone hysterectomy and, therefore, there is no question of she getting conceived and, therefore, she is in a position to take due care

of the applicant's son.

4. The learned Counsel for the respondent objects the prayer of the applicant by stating that the reason is not just and proper.

5. Having considered the reason, which appears to be just, the delay stands condoned.

6. Application is disposed of. No order as to costs.

**(PRITHVIRAJ K. CHAVAN, J.)**