

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

Civil Application (CAS) No.380/2019
IN
Second Appeal Stamp No.1010/2019

Smt. Varsha w/o Vinod Deshpande Vs. Smt. Madhuri w/o Vasant Rao Nanekar

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.
Court's or Judge's Orders

Ms. Kalyani Dharashivkar, Advocate h/f Shri S.L. Kotwal, Advocate for the Appellant.
Shri S.S. Ghate, Advocate for Respondent No.1.
Shri M.P. Dhruv, Advocate for Respondent Nos.2 and 3.

CORAM : S.M. MODAK, J.
DATE : 16th JULY, 2021.

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

Heard both the sides.

There is a delay of 26 days in preferring an appeal. The Trial Court dismissed the suit for setting aside the sale deed. Whereas the First Appellate Court has also dismissed the appeal.

The original plaintiff wants to prefer second appeal. The appellant took time in obtaining the certified copies and some time is exhausted in contacting the learned Advocate at Nagpur. The delay is opposed on behalf of the respondents. It is but natural for the litigant to collect the copies and give it to the learned Advocate so that appeal can be drafted. I find sufficient reason to condone the delay. Hence, delay of 26 days in preferring an appeal is condoned.

The civil application is disposed of.

Second Appeal Stamp No.1010/2019

Matter be kept for admission on 12th August, 2021.

Learned Advocate Shri S.S. Ghate waives notice for respondent No.1 and learned Advocate Shri M.P. Dhruv waives notice for respondent Nos.2 and 3.

Copy of the appeal memo be supplied on respondents through their respective advocates.

JUDGE

vijay