

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

Civil Application (CAS) No. 436 of 2018

In

Second Appeal Stamp No.2882 of 2018

Janabai w/o Laxman Mate and others

Versus

Baburao Sadashiv Gadge and others

Office Notes, Office Memoranda of
Order

Court's or Judge's

Coram, appearances, Court's Orders
or directions and Registrar's order

Shri V.N. Patre, Advocate for applicant

CORAM : ANIL S. KILOR, J.

DATED : 18 DECEMBER 2021

Heard the learned Counsel for the applicants.

2. None for the non applicant though served.

3. This is an application for condonation of delay.

The learned Counsel for the applicants has pointed out that there is a delay of 63 days in filing Second Appeal.

The learned Counsel for the applicants has drawn attention of this Court to the reasons given in paragraph No. 2 and 3 of this application. It is submitted that the sufficient cause has been shown in the application for condonation of delay. It is further

submitted that the delay is not intentional but bonafide and accordingly he prays for condoning the delay.

4. After going through the application more particularly paragraph Nos. 2 and 3, I am of the opinion that sufficient cause has been shown by the applicant for condonation of delay. Moreover as there is no reply filed to this application, though this application is pending since 2018, it appears that the non-applicants have no objection, if this application is allowed.

5. Accordingly this application is allowed. The delay caused in filing Second Appeal is condoned.

6. Office is requested to register the Second Appeal and place the same for admission.

[ANIL S. KILOR, J.]

Jayashree