

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

Civil Application [CAS] No.629 of 2021
in
Second Appeal St.No.7308 of 2021

Milind s/o Dilip Shende

vs.

Sonu @ Sonabai w/o Ramesh Shende & others

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

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Court's or Judge's Orders

Shri Kamal Gour, Advocate for the Applicant/Appellant.

CORAM : S.M. MODAK, J.
DATE : 4th OCTOBER, 2021.

Though the first appellate Court had pronounced the judgment on 09/03/2021, it was signed on 18/03/2021. The appellant applied for certified copy on 26/03/2021. Though it was ready on 06/04/2021, the appellant collected it on 08/06/2021. Whereas, the second appeal is filed on 23/06/2021.

So, if the period for filing the second appeal is computed from 09/03/2021, the office objection about delay is correct. If it is computed from 18/03/2021, the appeal is filed in time.

Even though, the judgment is pronounced on 09/03/2021, unless it is signed, the copy cannot be delivered to the concerned party. It was signed on 18/03/2021. Hence, the period will start from 18/03/2021. There is a delay of three days as per the objection taken by the Office. In the set of above facts, delay of three days is condoned.

The application is allowed. The second appeal be registered after other objections are removed.

JUDGE