

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

CIVIL APPLICATION (CAS) NO.44/2021
IN
SECOND APPEAL ST. NO.25875/2019

Smt. Kantabai wd/o. Pralhad Ingole and others,
-VERSUS-
Shrikrushna s/o Jairam Ahir and others.

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

Court's or Judge's Orders

Shri R.D. Bhuihar, Advocate for appellants.
Shri R.M Tiwari, Advocate for respondent no.1.
Shri S.S. Sohani, Advocate for Respondent no.3.

CORAM : S.M. MODAK, J.
DATE : AUGUST 04, 2021.

Heard learned Advocates for the parties.

There is delay of eight days in preferring second appeal. The present appellants are defendant Nos. 1 to 5. The First Appellate Court directed the present appellants to execute a sale-deed. The judgment was delivered on 21/08/2019. The reasons are mentioned in paragraph nos. 3 and 4 of the application. It is opposed on behalf of both the sets of respondents.

I find convincing reason for condonation of delay which is financial crunch as well as delivery of the wife of the appellant no.3. Hence the delay of eight days is condoned. The application for condonation of delay is disposed of.

SECOND APPEAL ST. NO. 25875/2019

Notice is waived by learned Advocate Shri Joshi, for respondent no.1 and learned Advocate Shri Sohani, for respondent no.3.

Appellant to supply copy of memo of appeal and annexures to the respondents.

Respondent no.2 Electricity Board though served on application for condonation of delay has not appeared.

Hence, matter be fixed for admission on **30/08/2021.**

JUDGE

R.S. Sahare