

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

**Civil Application (CAS) No. 1499 of 2018
In
Second Appeal (St) No. 27287 of 2018**

**Arjun Anganu Prasad Kothari
Versus
Bhagirrathabai W/o Dharamdas Haste**

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M.R. Puranik, Advocate for the applicant.
Ms S.B. Khobragade, Advocate for non-applicant.

**CORAM : ANIL S. KILOR, J.
DATED : 10th DECEMBER, 2021.**

This is an application for condonation of delay.

2. I have heard learned counsel for the respective parties.

3. Shri Puranik, learned counsel for the appellant/applicant states that there is a delay of 147 days in filling second appeal.

4. It is submitted that, the second appeal filed by the original defendant no.1 arising out of the same judgment and decree dated 12.03.2018 passed in Regular Civil Appeal No.38 of 2014 by

Additional District Judge-1, Kelapur is pending before this Court for decision.

5. The learned counsel for the appellant draws attention of this Court to the reasons given in the paragraph Nos.2 and 3 of the application and submits that sufficient cause has been shown by the appellant for condoning the delay.

6. On the other hand, Ms Khobragade, learned counsel for the non-applicant has no serious objection if the present application is allowed.

7. In view of the fact that sufficient cause has been shown in the application and as the non-applicant has not seriously objected, the present application is **allowed**.

8. The delay caused in filling the appeal is condoned.

9. Office is requested to register the second appeal and place the same along with Second Appeal No.425 of 2018.

10. Put up this matter on **11.02.2022**.

[ANIL S. KILOR, J.]