

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

915 CIVIL APPLICATION NO.14900 OF 2022
IN SAST/12132/2021 WITH CA/14901/2022 IN
SAST/12132/2021

SUNITA ANKUSHRAO GOJRE AND OTHERS
VERSUS
APPAJI GANGARAM GOJRE AND OTHRES

...
Advocate for Applicants : Mr. S. B. Solanke h/f Mr. B. T. Bodkhe
...

CORAM : RAJESH S. PATIL, J.

DATE : OCTOBER 21, 2022

PER COURT : -

1. This application is filed for condonation of delay in filing the second appeal.
2. Counsel for the applicant submits that the impugned Judgment and Order is passed by first appellate Court on 17.01.2020 and the present second appeal is filed on 08.04.2021. He further submits that in view of the order passed by the Apex Court in **Suo Motu Writ Petition (Civil) No. 3 of 2020**, the present second appeal is within limitation.
3. Office remark on the board also shows that the second appeal is filed within limitation.

4. The Apex Court in **Suo Motu Writ Petition (Civil) No. 3 of 2020** held as under :

“In computing the period of limitation for any suit, appeal, application or proceeding, the period from 15.03.2020 till 28.02.2022 shall stand excluded....”

5. In view of the aforesaid position, counsel for the applicant does not press the present civil application for condonation of delay.

6. Civil Application stands disposed of as not pressed, as the second appeal is within limitation.

7. Second appeal to come on board for admission on **06th December, 2022**.

8. Counsel for the applicant/appellant also requests to delete respondent no. 1 from the second appeal.

9. Respondent no. 1 be deleted from the second appeal at the risk and peril of the counsel for the applicant/appellant.

10. Amendment to be carried out before the next date of hearing.

[RAJESH S. PATIL]
JUDGE