

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1021 OF 2019
IN
SECOND APPEAL (ST) NO.13760 OF 2018
WITH
INTERIM APPLICATION NO. 2439 OF 2021
IN
SECOND APPEAL (ST) NO.13760 OF 2018**

Mr. Michael Damian Caridade D'souza & Anr. ...Applicants
Versus
Mrs. Hulkidevi Prakash Parihar & Anr. ...Respondents

Mr. Suhas S. Inamdar, for the Applicants.

Mr. Siddhesh S. Borkar a/w. Arya S. Borkar, for Respondent Nos. 1 & 2.

**CORAM : MADHAV J. JAMDAR, J.
DATED : 28th NOVEMBER 2022**

P.C. :

1. Heard Mr. Suhas Inamdar, learned counsel for the Applicants and Mr. Siddhesh Borkar, learned counsel appearing for the Respondent Nos. 1 & 2.
2. There is delay of about 288 days in filing the Second Appeal. The Applicants have set out the reasons in paragraph 7

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contending that as the earlier Advocate to whom the papers were handed over for filing Second Appeal could not take steps for his personal reasons, papers were handed over to present Advocate after obtaining fresh certified copies and therefore, there is delay in filing the Second Appeal.

3. In view of the above reasons, the Civil Application is allowed in terms of prayer clauses (b) and (c) with no order as to costs.

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[MADHAV J. JAMDAR, J.]