

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

**CIVIL APPLICATION NO.1015 OF 2019
IN
SECOND APPEAL (STAMP) NO.19577 OF 2018**

Subhash Narayan Peje and Anr. ...Applicants

Versus

Chandrakala Chandrakant Peje and
Ors. ...Respondents

....

Mr. Mandar Limaye for the Applicants.

CORAM : ANIL S. KILOR, J.

DATED: 28th JANUARY, 2022.

P.C.:-

1. Heard Mr. Limaye, learned counsel for the Applicants. None for the Respondents though served.

2. Learned counsel for the Applicant points out that there is a delay of 30 days in filing the Second Appeal challenging the judgment and decree dated 27/02/2018 passed by the learned District Judge -1 Ratnagiri in Civil Appeal No.71 of 2013.

3. It is submitted that initially the record was not available with the Applicant and for collecting the same some time was consumed which is the cause for delay. Learned counsel for the Applicant further submits

that the delay is not intentional but bonafide.

4. After going through the reasons stated the application, I am of the considered view that sufficient cause has been shown by the Applicant for condonation of delay. Moreover the Respondents have not filed reply opposing or disputing the facts stated in the application. In that view of the matter the delay caused in filing the Second Appeal needs to be condoned. Accordingly, I pass the following order:-

ORDER

- i) The Application for condonation of delay is allowed.
- ii) The delay caused in filing Second Appeal is condoned. The office is requested to register the Second Appeal and place the same before the Court for admission.

(ANIL S. KILOR, J.)

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