

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

**CIVIL APPLICATION NO.1910 OF 2017
IN
SECOND APPEAL (STAMP) NO.35648 OF 2016**

Nazma Adam Shah

...Applicant

Versus

Jamil Abdul Razzak Tambe and
Ors.

...Respondents

....

Mr. Sanskar Marathe, for the Applicant.

CORAM : ANIL S. KILOR, J.

DATED: 19th JANUARY, 2022

P.C.:-

1. Heard Mr. Marathe, learned counsel for the Applicant. None for the Respondents though served.

2. Mr. Marathe, learned counsel for the Applicant submits that there is a delay of 5 days in filing the Second Appeal challenging the judgment and decree dated 30/07/2016 passed by the learned District Judge-2, Ratnagiri. He further submits that the Applicant has shown sufficient reasons in the application, more particularly in paragraph Nos.2 and 3 of the application. He therefore prays that the delay caused in filing the second appeal may be condoned.

3. After going through the application, I have found that the Applicant has given sufficient cause and satisfactory reasons in the application, more particularly in paragraph Nos.2 and 3 of the application. Moreover, looking to the controversy involved in this appeal, in my opinion, liberal view needs to be adopted in this appeal.

4. 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 on
09/02/2022.

(ANIL S. KILOR, J.)

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