

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

CIVIL APPLICATION (CAS) NO.142/2021

IN

SECOND APPEAL ST. NO.24720/2019

Liladhar s/o Baliram Ambilduke and another

Vs.

Nalina w/o Chandu Waghulkar and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.R. Ingole, Advocate for appellants

Shri M.R. Joharapurkar, Advocate for respondent No.1

CORAM : SMT. M.S. JAWALKAR, J.

DATED : 01/07/2022

The present application is filed for condonation of delay in filing Second Appeal. It is submitted by learned Counsel for appellants that the certified copies received within limitation. The Counsel had undergone bypass surgery. Hence appeal could not file within limitation.

The application is vehemently opposed by the respondents. Application for permission to file additional affidavit of appellants in support of the application for condonation of delay is filed. Along with said affidavit, he has mentioned the date of receipt of certified copies as well as the medical certificate in respect of his Counsel's medical treatment.

After considering the reasons, I am satisfied that delay caused in filing the Second Appeal is neither intentional nor deliberate. It is for justified reason. Hence, application is allowed.

Delay in filing Second Appeal is hereby condoned.

Registry is directed to register the Second Appeal.

JUDGE

R.S. Sahare