

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 CIVIL APPLICATION NO.1508 OF 2023
IN SAST/3282/2023

KISHNABAI SOPANRAO KARHALE
VERSUS
PANDHARI TULSHIRAM JADHAV AND OTHERS

...
Advocate for Applicant : Mr. Girish S. Rane
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 19/08/2023

PER COURT :

The learned Advocate for the applicant submits that the applicant filed the second appeal along with application for condonation of delay of 104 days caused in filing the second appeal.

2. The learned Advocate for the appellant/applicant submits that the applicant/appellant is 91 years of age. The applicant is not aware of all the legal niceties of law nor is aware about the period of limitation. After securing the certified copies of the Judgment and decree passed by the First Appellate Court, the applicant approached to her Advocate at Aurangabad. The Advocate informed her necessity of certified copies of the Judgment and Decree of the Trial Court and the Appeal Memo. Thereafter, the applicant secured the certified

copies as required. The same were sent to her Advocate at Aurangabad, however in the meantime, the said Advocate was elevated as a Judge of this Court. The appellant, thereafter, engaged another Advocate and the delay of 104 is occurred in filing of the second appeal. The learned Advocate for the appellant/applicant submits that the delay is bonafide and not deliberate.

3. In view of the submission made by the learned Advocate for the applicant/appellant, the application for condonation of delay is allowed and disposed of.

4. List the second appeal for hearing on 20/09/2023.

5. The appellant/applicant to remove all office objections.

(ARUN R. PEDNEKER, J.)

vj gawade/-.