

Harish

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

**INTERIM APPLICATION NO.1844 of 2022
IN
SECOND APPEAL (ST) NO.5644 OF 2022**

Sopana Sakharam Gaikwad & Ors. ...Applicants

Versus

Shri. Rambhau Vishnu Tamhane & Ors. ...Respondents

Ms. Apurva Kulkarni i/b M. P. Vashi & Associates, for the Applicants.

Mr. Rushikesh G. Bhagat i/b Khandeparkar & Associates for Respondent No. 1

**CORAM : MADHAV J. JAMDAR, J.
DATE : 13th MARCH, 2023**

P.C.:

1. There is a delay of 413 in filing the Second Appeal. Perusal of the record shows that, the impugned judgment and decree of the learned First Appellate Court is dated 13th February, 2019 and the Appellants received the certified copy of the same on 20th February, 2019 and the present Appeal is lodged on 21st February, 2022.

2. Due to covid-19 pandemic, the Supreme Court has suspended the limitation period from 15th March, 2020 to 28th February, 2022.

3. Mr. Rushikesh Bhagat, learned counsel appearing for the Respondents strongly opposes the Interim Application.

4. In the Application it has been stated that, the Applicants are the daily workers and the delay has *inter alia* occurred due to the financial constraints.

5. For the reasons set out in the Interim Application, the same is allowed in terms of prayer clause (a).

6. The Interim Application is disposed of in above terms with no order as to costs.

(MADHAV J. JAMDAR, J.)