

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAS) NO. 246 OF 2021
IN
SECOND APPEAL (ST.) NO. 1160 OF 2020

RAGHUNATH DATTATRAYA GHARPURE

...**VERSUS**...

THE CHIEF ENGINEER, IRRIGATION DEPARTMENT, NAGPUR AND ORS.

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

Court's or Judge's order

Mrs. Smita P. Deshpande, Advocate for appellant/applicant.

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

DATE : 03rd MAY, 2023

The present application is filed for condonation of delay in filing Second Appeal.

2. In spite of service to the respondents, no reply is filed to the application.

3. There is delay of 98 days, the reason for which, is duly explained in para nos. 3, 4 and 5 of the application. For the reasons stated in the application, there is no intentional or deliberate delay in filing Second Appeal. The applicant was pursuing remedy under bonafide belief that it was the remedy available to him. As such, the application is allowed.

4. Delay in filing Second Appeal is hereby condoned.

5. Registry is directed to register Second Appeal.

6. The application stands disposed of.

(Smt. M.S. Jawalkar, J.)