

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

CIVIL APPLICATION (CAF) NO. 143 OF 2020
IN
FIRST APPEAL (ST.) NO. 3479 OF 2019

DAYARAM S/O. SHAMRAOJI CHANNE AND ORS.

...**VERSUS**...

SUSHIL RAMESH KESHARWANI AND ANR.

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

Court's or Judge's order

Shri Kunal Mankar, Advocate h/f. Shri P.S.Mirache, Advocate for
appellants/applicants.

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

DATE : 15th JUNE, 2023

Heard.

2. The present application is filed for condonation of delay of 272 days in filing First Appeal.

3. It is submitted by learned counsel for the appellants that appellant nos. 1 and 2 are parents of deceased Vaishali D/o. Dayaram Channe and appellant no. 3 is brother of deceased. The reason put forth for delay is that the appellant no. 2 (mother of deceased) was suffering from illness and also they were in mental trauma due to untimely death of their daughter and sister of appellant no. 3. The reason put forth is not sufficient to condone the delay. However, considering the fact that appellant nos. 1 and 2 are old age persons, I am inclined to condone the delay, subject to costs. Accordingly, I proceed to pass the following order:-

ORDER

- a) The application is allowed.
- b) Delay in filing First Appeal is hereby condoned, subject to costs of Rs. 2,000/- to be paid to the Library of High Court Bar Association, Nagpur, within a period of two weeks.
- c) After deposit of costs, Registry is directed to register the First Appeal.
- d) Accordingly, the application stands disposed of.

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

B.T.Khapekar