



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

CIVIL APPLICATION (CAS) NO. 570/2021 IN
SECOND APPEAL STAMP NO. 3708/2021

Smt. Radhabai Wd/o Pandurang Giradkar

Vs.

Nanda W/o Pundlik Bhatkar and others

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

Court's or Judge's orders

Shri P.R. Puri, Advocate for appellant
Shri S.S. Ghate, Advocate for respondent No.1

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

DATE : 06/09/2023

Present application is filed for condonation of delay in filing second appeal. There is delay of 351 days in preferring second appeal. The date of judgment appears to be 12/12/2019. The period of ninety days expired on 12/03/2020. In view of the direction by the Hon'ble Apex Court's order, in such cases where the limitations would have expired during the period between 15/03/2020 till 20/02/2022, notwithstanding the actual balance period of limitation remaining, the delay has to be condoned. Here the period of limitation expired on 12/03/2020. However, though application is opposed, considering the Covid period, it would be in the interest of justice to condone the delay in filing second appeal.

2. Accordingly, application is allowed.
3. Delay in filing second appeal is hereby condoned, subject to costs of Rs.1000/-, payable to Vidarbha Labour Law Association, within a period of three weeks.
4. Application is allowed.
5. Registry is directed to register second appeal on payment of costs as referred above.

(SMT. M.S. JAWALKAR, J.)