



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

CIVIL APPLICATION (CAA) NO. 40/2021
IN
APPEAL AGAINST ORDER STAMP NO. 6894/2021

Mukesh S/o Pundalik Tekade

Vs.

Sau. Pratibha W/o Mukesh Tekade 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 N.R. Kanungo, Advocate for appellant
Shri Y.N. Thengre, Advocate for respondent No.2

CORAM : SMT. M.S. JAWALKAR, J.
DATE : 17/10/2023

Heard learned Counsel for the applicant.

2. Present application is filed for condonation of delay in filing Appeal Against Order. It appears that order came to be passed in Spl.C.S. No. 472/2020, on 01/02/2021. The Counsel for applicant applied for certified copy on 22/02/2021, which was ready and

delivered on 19/04/2021. Thereafter, he was suffering from Corona. Courts were also not working regularly. As such, delay of 110 days caused in filing appeal against order.

3. The learned Counsel for respondent vehemently opposed the application. However, for the reasons put forth in the application, I am satisfied that there is no intentional or deliberate delay. As such, application is allowed.

4. Delay in filing Appeal Against Order, is hereby condoned.

5. Registry is directed to register Appeal Against Order.

6. At this juncture, learned Counsel for respondent raised objection that Appeal Against Order is not maintainable. This issue is kept open at the time of admission.

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