

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

...
CIVIL APPLICATION (S) NO. 54/2022
in
SECOND APPEAL (st) No.10970/2021
&
CIVIL APPLICATION (S) NO. 233/2021
in
SECOND APPEAL (st) No.6389/2020

Rajiv Madhukar Bhalerao and another

..Applicant/s

versus

Mayur s/o Milan Kale and another

..Respondent/s

.....
Mr.S.K. Pardhy, Advocate for the applicant/s

Mr. V.M. Gadkari, Adv. for Respondent No.1

Mr A.V. Khare, Adv. for Respondent No.2
.....

CORAM: ANIL L. PANSARE, J.

DATED : 21st July, 2023.

PC:

Heard.

The judgment and decree which the applicants intends to challenge is dated 24.01.2020. Admittedly, 90 days would by arithmetical precision, comes to 23.04.2020.

The Hon'ble Supreme Court in Suo Motu Writ Petition(C) No.3/2020 has held that for the purpose of calculation of limitation, the time period from 15.03.2020 till 28.02.2022 shall be excluded. The present Appeals have been filed on 09.09.2021 and 26.06.2020 respectively. In that sense, there is no delay.

In view of the above and for the reasons set out in both the applications, the delay is condoned. Both Civil Applications are allowed as prayed for.

Second Appeal/s be registered and processed in accordance with the Rules.

[ANIL L. PANSARE, J.]

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