

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

CIVIL APPLICATION (CAS) NO.827/2023

IN

SECOND APPEAL ST. NO.11964/2023

Purushottam s/o Daulat Bodalkar

Vs.

Motiram s/o Daulat Bodalkar (dead) thr. LR's Munishwar s/o Motiram Bodhalkar

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

Court's or Judge's orders

Shri D.R. Galande, Advocate for appellant

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

DATED : 06/12/2023

Heard learned Counsel for appellant.

2. In spite of service none for the respondent.
3. Learned Counsel for respondent already filed reply to oppose the application.
4. It appears that the appellant is 81 years old and due to his old age, the delay has been caused and he is suffering from some medical health issues. As such, there is no intentional and deliberate delay. As such, delay has been caused for justifiable reasons. As such, application needs to be allowed.
5. The delay in filing Second Appeal is hereby condoned.
6. The Registry is directed to register the Second Appeal.

7. The application stands disposed of accordingly.

CIVIL APPLICATION (CAS) 828) 2023

Issue notice to the respondent, returnable on 18/12/2023.

JUDGE

R.S. Sahare