



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

CIVIL APPLICATION (CAS) NO. 79 OF 2021
IN
SECOND APPEAL (ST.) NO. 12062 OF 2020

GOVINDA TUKARAM GAJBHIYE AND ORS.

...VERSUS...

RUSHIDAS TUKARAM GAJBHIYE AND ORS.

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

Court's or Judge's order

Shri Rohit Joshi, Advocate for applicants.

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

DATE : 12th OCTOBER, 2023

The present application is filed for condonation of delay of 404 days in filing Second Appeal.

2. In spite of service, there is no appearance on behalf of the respondents.

3. It is submitted that the appellants are poor rustic person and unaware about the legal necessities. Due to communication gap between the appellants and their counsel, the appellants could not file appeal within limitation. It is also the reason that due to outbreak of Covid-19 pandemic, the appellants faced difficulties to approach the Court. As such, the delay has been caused. I am satisfied with the reasons given in para nos. 3 to 5 of the application. There are justifiable reasons for not filing the Second Appeal within limitation. As such, the application is allowed. Delay in filing Second Appeal is hereby condoned.

4. Registry is directed to register the Second Appeal.
5. Accordingly, the application stands disposed of.

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

B.T.Khapekar