

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

CIVIL APPLICATION NO.2361 OF 2021

IN

FIRST APPEAL (ST.) NO.14752 OF 2021

(Sukhlal s/o Vishnu Khawle Vs. Ukharda s/o Pandhari Khawle)

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

Court's or Judge's Order

Shri H.R. Gadhia, Advocate for the appellant.
Advocate Deshpande for the respondent.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 5, 2023.

Heard.

2. This application is for condonation of delay of 212 days in filing the present appeal.

3. By this appeal, the appellant challenged the legality and validity of the judgment dated 13/06/2019 passed by the Civil Judge, Senior Division, Khamgaon in Probate Case No.01/2018 on the basis of Will dated 01/09/2015.

4. As per the contention of the applicant that the delay is caused in preferring the appeal as after the knowledge appellant has applied for the certified copies however, due to Covid-19 pandemic situation he could not file the appeal within time and hence, delay is caused in preferring the appeal.

5. In view of the reasons mentioned in the application, delay of 212 days is condoned subject to the

costs of Rs.1000/- (Rs. One thousand only).

6. The costs be paid to the High Court Bar Association, Nagpur.

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Heard.

2. Appeal be registered.

3. Call for R. & P.

4. Considering the issue involved in the appeal, the appeal can be disposed of at the admission stage.

5. Place the matter for final hearing on 26/04/2023.

(URMILA JOSHI-PHALKE, J.)

**Divya*