

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

**CIVIL APPLICATION (CAS) NO. 880/2021 IN SECOND APPEAL**  
**STAMP NO. 15419/2021**

Ishwardayal S/o Mahipal Patle & Ors. Vs Ashokkumar Gopaldas Madhwani & Anr.

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

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Court's or Judge's Order

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Shri Subhash Paliwal, advocate for the applicants/appellants.

**CORAM : ANIL S. KILOR, J.**  
**DATED : 02/02/2023**

1. This is an application for condonation of delay. There is delay of 701 days in filing the Second Appeal. The period of delay also includes the period of Covid-19 and it is stated in the application that because of lack of communication between the applicants and his counsel, the delay has occurred in filing the appeal. It is submitted that the applicants could not get knowledge about the impugned judgment and decree, as it was not informed to him by his counsel.

2. Though, the respondents are served long back, none appears on behalf of the respondents. Therefore, to grant one opportunity, on last occasion the matter was adjourn for today.

3. After going through the reasons stated in the application, I am of the opinion that sufficient cause has been shown by the applicants for causing delay in filing the second appeal. In that view of the matter, the civil application is allowed. Delay is condoned.

Civil application is disposed of.