

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1505 OF 2024
IN
FIRST APPEAL (ST) NO. 3731 OF 2024

Smt. Suman Ananda Magar And Ors.

... Appellants/Applicants

Vs.

Shri. Laxman Baban Magar And Ors.

... Respondents

Adv. Balaji P Shinde a/w Adv. Ashok B. Tajane, for the
Appellants/Applicants.

Mr. Nikhil Wadikar a/w Adv. Malhar N. Pawar i/by Adv. Nandu Pawar, for
the Respondent Nos. 1 and 2.

CORAM : KISHORE C. SANT, J.

DATE : 10th May, 2024

P.C.:-

1. The Appellant/Applicant has filed on record affidavit of service
alongwith copies of acknowledgment of receipt of notice through RPAD
signed by brother of Respondent No. 3. Therefore Respondent No. 3 is
treated as served.

2. This Application is filed seeking condonation of delay of 17
days caused in filing the First Appeal.

3. It is stated that under the wrong impression the Appellant had
approached the District Court for filing of an Appeal. After realizing that the
District Court has no jurisdiction, she filed appeal in this Court. It is stated

that though the delay is of 97 days he has calculated the delay after return of the Appeal Memo by the District Court.

4. Considering the above this Court is inclined to allow the Application for condonation of delay. The delay stands condoned.

5. Interim Applications stands allowed and disposed of.

(KISHORE C. SANT, J.)