

Iresh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO. 1482 OF 2018
IN
SECOND APPEAL ST NO. 1825 OF 2018**

Smt. Jayashree Bhiva BandivadekarApplicants
(Deceased Through LRs)

Vs.

Mr. Arun Mahadev AcharekarRespondent

Mr. Ashok Varma for the applicants
Mr. Y. Malvankar for the respondent

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CORAM : GAURI GODSE, J.

DATE : 9th SEPTEMBER 2024

ORDER:

1. This application is for condonation of delay of 6 days in filing the application.
2. Learned counsel for the applicants submits that since applicant's father was looking after the matter, the applicant was unaware about the litigation. He submits that after his father expired, the applicant required some time to make arrangements for filing the second appeal. He submits that the applicant has explained the reasons for the delay

and the steps taken for filing the second appeal. He thus submits that the delay be condoned and the second appeal be heard on merits.

3. Learned counsel for the respondent opposes the condonation of delay on the ground that the reasons stated in the application are not acceptable.

4. I have perused the application. Applicant has explained in detail the reasons that caused the delay in filing the appeal and the steps taken for filing the appeal. The reasons appear to be acceptable and genuine.

5. For the reasons stated in the application, the delay is condoned and the application is allowed in terms of prayer clause (a).

6. Office is directed to register the second appeal and list it under the caption for “Urgent Admission” on 4th December 2024.

[GAURI GODSE, J.]