

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1443 OF 2024
IN
SECOND APPEAL (STAMP) NO.3119 OF 2024**

**Vikram Trimbak Pawar
V/S
Technocrat Construction**

**....Appellant/Applicant

....Respondent**

Mr. S.S. Kulkarni a/w Mr. Rahul Kashid i/b Mr. R.S. Gangawane *for the Applicant.*
Mr. Kuldeep U. Nikam *for Respondent.*

**CORAM: SANDEEP V. MARNE, J.
DATE : 16 APRIL 2024.**

P.C.:

1 This Application is filed for condonation of delay of 64 days in filing the Appeal. The Application is opposed by the Respondent by filing Affidavit-in-Reply.

2 I have heard Mr. Kulkarni, the learned counsel appearing for the Appellant and Mr. Nikam, the learned counsel appearing for the Respondent.

3 Perusal of the pleadings in the Application would indicate that settlement talks were allegedly going on between the Applicant and the

Respondent after dismissal of the Appeal by the First Appellate Court till October 2023 and the Applicant was hopeful about success in the said compromise talks. In the Reply it is contended by the Respondent that only one meeting took place about compromise talks. This would indicate that the pleading about compromise talks between the parties after dismissal of the First Appeal is not factually incorrect. Considering that the length of delay is not too long, I am inclined to condone the delay in filing the Appeal.

4 Interim Application is accordingly allowed. Delay in filing the Second Appeal is condoned. Interim Application is disposed of.

(SANDEEP V. MARNE, J.)

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