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

**INTERIM APPLICATION NO. 7775 OF 2024
IN
SECOND APPEAL ST NO. 7972 OF 2024**

Rajendra Chaganrao Taskar

.....Applicant

Vs.

Prabhakar Karbhari Taskar

.....Respondent

Mr. Kunal Damle a/w Mr. Ankit Patil for the applicant

CORAM : GAURI GODSE, J.

DATE : 29th AUGUST 2024

ORDER:

1. Heard learned counsel for the applicant. This application is for condonation of delay of 6 years and 188 days in filing the second appeal.

2. Learned counsel for the applicant submitted that the reasons for the delay are explained in paragraph 6 of the application. He submits that since the previous advocate who was assigned the papers for filing the second appeal expired during Covid pandemic, the applicant was required to engage another advocate to file this application after he learnt about the death of his earlier advocate.

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3. A perusal of the reasons stated in paragraph 6 of the application indicates that vague allegations are made against the earlier advocate regarding not filing the appeal within time. It is further stated that the applicant learnt about earlier advocate's death and thereafter collected papers from the office of the earlier advocate and present appeal was filed. However, no particulars regarding knowledge of death of earlier advocate are mentioned in the application. There are no particulars mentioned in the application as to the steps taken from the date of the impugned decree i.e. 25th April 2017 till the earlier advocate's death in the year 2023. The reasons given in the application for condonation of delay are vague and does not appear to be genuine and acceptable.

4. Application is filed after more than 6 years without any explanation for the delay. Hence, for want of any reasonable and justifiable explanation in the application of condonation of delay, I am not inclined to entertain the application.

5. Hence, the application is dismissed. In view of dismissal of the application, second appeal also stands dismissed.

[GAURI GODSE, J.]