

Iresh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 9491 OF 2024

IN

SECOND APPEAL ST NO. 13143 OF 2024

WITH

INTERIM APPLICATION NO. 8943 OF 2024

IN

SECOND APPEAL ST NO. 13143 OF 2024

Shobha Sarjerao Tambe

.....Applicant

Vs.

Asha Sarjerao Tambe and Ors

.....Respondents

Mr. Jaydeep Deo for the applicant

Mr. Dilip Bodake a/w Mr. S. Bhosale for respondents

CORAM : GAURI GODSE, J.

DATE : 20th DECEMBER 2024.

ORDER:

INTERIM APPLICATION NO. 9491 OF 2024:

1. This application is for condonation of delay of 225 days in filing the second appeal. Learned counsel for the applicant submits that the applicant is suffering from cancer due to which she was unable to contact her advocate within time.

2. To support the grounds of illness, medical papers are annexed to

IRESH
MASHAL

Digitally
signed by
IRESH
MASHAL
Date:
2024.12.21
15:55:44
+0530

the application.

3. Learned counsel for the respondent opposes condonation of delay. He submits that the medical papers annexed to the application do not pertain to the relevant dates and thus cannot be accepted as a sufficient ground for condonation of delay.

4. I have perused the application and the supporting documents as well as the reply filed on behalf of the respondents.

5. The application in detail explains the reasons for the delay on the grounds of illness. I see no reason to disbelieve the reasons for condonation of delay.

6. The reasons are genuine and justifiable. Hence, for the reasons stated in the application, delay is condoned and the application is allowed.

7. Office is directed to register the second appeal and list it for admission on 14th February 2025.

[GAURI GODSE, J.]