



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (S) NO. 669 OF 2023
IN SECOND APPEAL ST. NO. 10113 OF 2023
(Vilas Nagorao Mhaskar Vs. Sau. Vidya Vilasrao Vyas)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri V.D. Darne, Counsel for the applicant/appellant
through video conferencing.

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CORAM : ANIL L. PANSARE, J.
FEBRUARY 5, 2024.

By the present application, the applicant is seeking to condone delay of 190 days in filing appeal against the judgment and decree dated 29/7/2022 passed by the Adhoc District Judge-1, Yavatmal in Regular Civil Appeal No. 91/2017.

2] The learned Counsel for the applicant states that the applicant is an agriculturist having financial crisis. His family members were not keeping well. The applicant sustained losses as there was heavy rain which destroyed his crops. He could not therefore approach the learned Counsel in time and thus there occurred delay of 190 days.

3] The respondent, though served, has not appear despite giving opportunity. There is thus no counter to what has been stated by the applicant while justifying delay.

4] In view thereof and for the reasons set out in the application, the same is allowed. The delay of 190 days in filing appeal is condoned.

5] The Civil Application is disposed of.

SECOND APPEAL ST. NO. 10113/2023

6] The appeal be registered and processed as per rules.

(ANIL L. PANSARE, J.)

Sumit