



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAS) NO.595 OF 2024 IN
SECOND APPEAL ST. NO.13474 OF 2024

M/s Shiv Sai Developers through its Managing Partner, Hemantbhai Parbatbhai Patel
.Vs. Ashish D/o Shantaram Dharpure and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.A. Naik, Senior Adv. a/b Shri Amit Bhate, Adv. for appellant.
Shri P.S. Tembhare, Advocate for respondents.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 14/10/2024

1. This is an application for condonation of delay of 11 days caused for filing second appeal.
2. Heard learned advocates for both sides.
3. Perused the application.
4. For the reasons stated in the application, the application deserves to be allowed in the interest of justice.
5. The learned advocate for the appellant pointed out that, appellant is 82 years old suffering from heat ailment due to some other reasons he required time for filing appeal. He lastly prayed that the delay is not deliberately caused therefore the application deserves to be allowed.
6. The learned advocate for the respondents strongly opposed the application and pointed out reply filed by the respondent.

7. Perused the reply.
8. Considering delay period of 11 days, it would be proper to allow the application in the interest of justice. The application is **allowed**. Delay of 11 days is condoned.
9. The application is **disposed**.

SECOND APPEAL ST. NO.13474 OF 2024

1. Issue notice to the respondents.
2. Shri Tembhare, learned advocate waives service of notice for the respondents.
3. Stand over to **13.11.2024**.
4. Till then, interim order to continue.

(SANJAY A. DESHMUKH, J.)