



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

Civil Application (CAS) No. 1541 of 2023

in

Second Appeal St. No. 18143 of 2023

[Smt. Nirmala W/o. Trilokchand Gandhi ..vs.. Smt. Bebytai W/o. Namdeorao Pande]

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

Court's or Judge's orders

Ms. Sharda Tiwari, Advocate instructed by Mr. H. I. Kothari, Advocate for
the applicant/appellant

CORAM : ANIL L. PANSARE J.

DATED : 25-11-2024

By present application, the applicant is seeking to condone delay in filing appeal against the judgment and decree dated 28-9-2022 passed by the first appellate Court in Regular Civil Appeal No. 202/2015.

Learned counsel for applicant submits that the delay has occurred because the applicant is an old aged lady. She was suffering from multiple ailments. She is paralytic as well. Her husband is also suffering from age related ailments and is completely bed ridden. The applicant has lost her elder daughter as well. She was under trauma and took some time to recover.

None appeared for the non-applicant though served and, therefore, the pleadings and arguments made by the applicant remained uncontroverted.

To my mind, the applicant has shown sufficient cause for not approaching the Court within time. The delay as prayed for is accordingly condoned. The second appeal be registered and processed as per law.

Civil application is disposed of in above terms.

(Anil L. Pansare, J.)

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