



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

CIVIL APPLICATION (CAS) NO.878 OF 2024 IN
SECOND APPEAL ST. NO.17760 OF 2024

Aniruddha S/o Ramsewak Tiwari .Vs. Shri Rajendra Shamrao Awghad 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 P.S. Patil, Advocate for appellant.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 14/10/2024

1. The learned advocate for the appellant pointed out paragraph No.5 of the application which read as under :

“5. It is stated that, the present appeal was initially filed within limitation of 90 days. This fact is clear from the E-filing Number i.e. EC-HCBM04-04765-2024. But, due to updation of Website of High Court, the appellant was required to file again the appeal before this Hon’ble Court. As such, actual speaking there is no delay on the part of appellant in filing appeal before this Hon’ble Court. But, as office has raised objection of delay, the appellant is filing the present application for Condonation of Delay of 15 days as objection is raised by office of this Hon’ble Court.”

2. Paragraph No.5 is self eloquent which shows that, appellant is not responsible for causing delay of 15 days caused for filing appeal therefore the delay deserves to be condoned in the interest of justice as the delay is not deliberately caused.

3. The application is **allowed**. Delay of 15 days caused for filing appeal is condoned.

4. The application is **disposed**.

CIVIL APPLICATION (CAS) NO.879 OF 2024

1. This is an application for granting temporary injunction.
2. Heard learned advocate for the appellant.
3. Issue notice to the respondents.
4. Considering fact that, there was temporary injunction against respondents as per the order passed by the learned trial Court dated 06.01.2009 it would be proper to grant relief particularly prayer clause 1 of this application that, the respondents shall not create any third party interest in the suit property till the decision of this appeal.

SECOND APPEAL ST. N.17760 OF 2024

1. Issue notice to the respondents.
2. Stand over to **19.11.2024.**

(SANJAY A. DESHMUKH, J.)