



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

CIVIL APPLICATION [CAF] NO.3627 OF 2024

IN

FIRST APPEAL ST. NO.20844 OF 2024

[Pratibha wd/o Prabhakar Pawar (Pardeshi) and others .vs. Union of India]

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

Court's or Judge's orders

Mr. R.G. Bagul, Advocate for Applicants.
 Ms. N.G. Chaubey, Advocate for Respondent.

CORAM : SANJAY A. DESHMUKH, J.
DATE : 11th DECEMBER, 2024.

1. Heard.
2. Issue notice to the respondent.
3. Ms. N.G. Chaubey, learned advocate waives notice for the respondent.
4. This is an application for condonation of delay of 1583 caused for filing the first appeal.
5. Perused the application. Heard the learned advocates for both sides.
6. Learned advocate for applicants pointed out that the applicants are poor and they are not knowing the law. There was also Covid-19 lock-down. The applicants were not properly intimated about their rights by their advocate. They are illiterate and therefore learned advocate for the applicants submitted to condone the delay in the interest of justice.
7. The learned advocate for the respondent Ms. N.G. Chaubey strongly objected the application and submitted that there are no sufficient reasons to condone the delay and, therefore, the application therefore deserves to be rejected.

8. On perusal of the application, it appears that the applicants are poor and they are not knowing the law. Due to Covid-19 lock-down also, they could not contact with their advocate, therefore, the appeal was not filed within limitation. It appears that the delay is not deliberately caused and, therefore, the application deserves to be allowed in the interest of justice. The application is allowed. The delay of 1583 days caused for filing the appeal is hereby condoned in the interest of justice.

9. The application is allowed and disposed of.

First Appeal St. No.20844/2024

1. Heard.
2. Issue notice to the respondent.
3. Mr. N.G. Chaubey, learned advocate waives notice for the respondent.
4. Call for record and proceedings.
5. Learned advocate for the respondent submits that she has received all the copies of the depositions, hence filing of paper book is dispensed with.

(SANJAY A. DESHMUKH, J.)