



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

CIVIL APPLICATION (CAF) NO.2859 OF 2024 IN
FIRST APPEAL ST. NO.25483 OF 2023

Ghanshyam S/o Toliram Turkar and another .Vs. Union of India

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

Court's or Judge's Order

Shri S.B. Dhande, Advocate for appellants.

Ms Neerja Chaubey, Advocate for respondent.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 10/10/2024

1. Issue notice to the respondent.
2. Ms Neerja Chaubey learned advocate waives service of notice for the respondent.
3. This is an application for condonation of delay of 658 days.
4. Perused the application.
5. Heard learned advocates for both sides.
6. The learned advocate for the appellants pointed out grounds stated in the application that, because of Covid-19 situation, appellants could not proceed further with the case, they are poor and therefore, delay is caused. It is lastly prayed to allow the application.
7. The learned advocate for the respondent strongly objected the application and submitted that, there is no sufficient reason to condone the delay as contemplated under Section 5 of the Limitation Act, 1963.

8. On perusal of the application, is it found that, due to Covid-19 situation, appellants could not proceed further with the application. The delay is not deliberately caused.

9. Considering grounds stated in the application, the application deserves to be allowed in the interest of justice. The application is **allowed** and delay of 658 days caused for filing application is condoned.

10. The application is **disposed**.

FIRST APPEAL ST. NO.25483 OF 2023

1. Issue notice to the respondent.

2. Ms Neerja Chaubey learned advocate waives service of notice for the respondent.

3. Call record and proceedings.

4. Filing of paper book is dispensed with subject to appellants shall supply copies of necessary papers to the learned advocate for the respondent.

5. Stand over to **12.11.2024**.

(SANJAY A. DESHMUKH, J.)