



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 10805 OF 2022
IN SAST/25927/2020**

Kisan Sahadu Raut Deceased Lrs. Meenakshi Changdeo Deshmukh And
Another
VERSUS

Balasaheb Kisan Raut And Others

Mr. N. S. Shah h/f Mr. K. N. Lokhande, Advocate for Applicants
Mr. S. S. Jadhavar, Advocate for Respondent Nos. 1 to 3

CORAM : R. M. JOSHI, J.

DATE : 14th AUGUST, 2025

PER COURT :-

1. This application is for condonation of delay of 450 days in preferring second appeal against judgment and decree dated 18.06.2019 passed in Regular Civil Appeal No. 471/2011.

2. Perusal of the application indicates that immediately after passing of the judgment and decree by the First Appellate Court, application for certified copy of the same was made on 20.06.2019. Certified copy is received on 23.07.2019. Learned counsel for applicants claim that applicant is lady and could approach the advocate in sometime. He informed her some more documents being required to file appeal. Thereafter, due to COVID 19 pandemic, no further action could be taken. Thereafter documents were called, which were received on 12.11.2020. Immediately thereafter application for condonation of delay came to be filed along with the memo of second appeal.

3. Learned counsel for applicant submits that there is satisfactory explanation of condonation of delay and in the facts of the case, same be condoned.

4. Learned counsel for respondent vehemently opposed the application.

5. Applicant is a lady. Perusal of the application indicates that the she had applied for certified copy of the impugned order immediately. Thereafter, she approached to the advocate who informed her about the requirement of additional documents. The said documents were applied to the authorities on 10.11.2020 and were received on 12.11.2020. It is thereafter appeal came to be filed along with application for condonation of delay. There is no dispute about the fact that since March, 2020, there was onset of COVID 19 pandemic and in such circumstances, there was application filed for documents which were received subsequently.

6. Considering peculiarity of the facts involved in this case, this Court finds delay has been satisfactorily explained. Hence, application stands allowed. Second appeal be registered.

(R. M. JOSHI, J.)

bsj