

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 11280 OF 2024
IN
FIRST APPEAL (ST) NO. 9406 OF 2024**

Sandip Dinkar Patil And Ors.

...Applicants

Versus

Rajaram Arjun Koli And Ors.

...Respondents

Mr. Avesh Ghadge i/b. Sarthak Diwan, for the Applicants/Appellant.

Mr. Sandeep Jinsiwale, for the Respondent No.2.

CORAM : ADVAIT M. SETHNA, J.

DATE : 25 FEBRUARY 2025

P. C. :-

1. The learned counsel for the Applicants would submit that this Interim Application is filed for condonation of delay for a period of 130 days in filing the said First Appeal. He would submit that the reasons explaining such delay are set out in paragraphs 10, 11 and 12 of the said Interim Application. The learned counsel for the Respondent No.2 would oppose such application.
2. With the assistance of the learned counsel for the parties, I have perused the Interim Application.
3. In my view, the delay is sufficiently explained and sufficient cause has been made out to condone such delay of 130 days in filing the first appeal. The learned counsel for the Applicant would state that Respondent Nos.1 and 3 are duly

served, however, despite service including service through registry of the Court completed on 20 February 2025 and service report of the said date on record none appears for them.

4. In my view, no prejudice would be caused to the respondents if such delay of 130 days is condoned. In the interest of justice, the following order is passed:-

ORDER

- (i) Application is allowed in terms of prayer clause (b). No costs.
- (ii) List the Appeal for Admission on **25 March 2025**.

[ADVAIT M. SETHNA, J.]