

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.4115 OF 2023

IN

SECOND APPEAL (ST) NO.23948 OF 2022

Shri Mohan Shankar Redij ... Appellant/Applicant
V/s.

Shri Vijay Ramchandra Pathre ... Respondents
Presently Chairman of Shree Siddhi
Vinayak Mandir Pvethmap and Ors.

Mr. Rohan Surve, for the applicants.

Mr. Atreya Tambe, through VC, for the respondent no. 2.

Mr. Harshad Sathe, for respondent nos. 1 to 6, 8, 9A to 9C, 10, 11A to 11D.

CORAM : N.J. JAMADAR, J.

DATE : 13th JUNE 2025.

PC:

1. Heard learned counsel for the applicant.
2. This is an application for condonation of 82 days delay in filing the second appeal.
3. I have perused the averments in the application. The applicant has ascribed justifiable reasons for not preferring the appeal within the stipulated period. The documents annexed to the application lend support to the claim of the applicant that as he was unwell, he could not prefer the appeal within the stipulated period of limitation.

4. It is trite that an application for condonation of delay ought to receive liberal consideration so as to advance the cause of substantive justice.
5. The applicant has made out a sufficient cause for condonation of delay and, therefore, I am inclined to allow the application.
6. Hence, the following order:

ORDER

- i) The application stands allowed in terms of prayer clause (a).
 - ii) The delay in preferring the Second Appeal stands condoned.
- 7 The Second Appeal be numbered and listed as a fresh matter.
 8. Interim Application disposed.

(N.J. JAMADAR, J)