IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 15629 OF 2024
IN
SECOND APPEAL(ST) NO. 22264 OF 2024

Arvind Mukund Gaikar ...Applicant
Versus
Savitribai Ratan Patil ...Respondent

WITH
INTERIM APPLICATION NO. 15630 OF 2024
IN
SECOND APPEAL(ST) NO. 22264 OF 2024

Arvind Mukund Gaikar .....Applicant
Versus
Savitribai Ratan Patil ...Respondent

Mr. Bharatkumar Nukte, for the Applicant.

CORAM : ADVAIT M. SETHNA, J.

DATE : 24 DECEMBER 2025

P.C.:

1. Pursuant to the order dated 18 December 2025, Mr. Nukte, learned counsel appearing for the Applicant. He submits that the present Interim Application is filed seeking condonation of a delay of 79 days in filing the Second Appeal. None appears for the Respondents. However, learned counsel submits that the Respondents are duly served. He draws the attention of the Court to the order dated 8 April 2025, wherein the Respondents were duly represented through their Advocates. It is evident from the said order that the parties were referred to mediation. Mr. Nutke, on instructions, now states that the mediation proceedings

eventually failed. In the above backdrop, and considering that the Respondents were duly served and had appeared on an earlier occasion, this Court proceeds to adjudicate the present Interim Application.

2. A perusal of the Interim Application reveals that the reasons for condonation of delay are specifically set out in paragraphs 7, 8, and 9 thereof. The delay, as it appears from the averments in the Application, is attributable to the hospitalization and ill-health of the Applicant. The Applicant has also annexed necessary medical records, including hospital papers, in support of the said contention. This is a case where a satisfactory explanation has been furnished for condonation of delay, which cannot be treated as a mere excuse. Sufficient cause for condoning the delay is clearly made out. The delay does not appear to be deliberate or intentional.

3. For the aforesaid reasons, and in the interest of justice, the delay of 79 days in filing the Second Appeal deserves to be condoned.

4. Interim Application No. 15629 of 2024 is Allowed and Disposed of.

[ADVAIT M. SETHNA, J.]