

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

**INTERIM APPLICATION NO. 6336 OF 2024
IN
SECOND APPEAL (ST) NO. 2556 OF 2023**

Jivan Chandumal Shivdasani ...Applicant
Versus
Nalini Ramesh Karnik Since Deceased & OrsRespondents

Mr. Ganesh Murthy, for Applicant.
Mr. Aniket Nangare, i/by Yogita Deshmukh, for Respondents No. 3.

**CORAM : ADVAIT M. SETHNA, J.
DATED : 18 DECEMBER 2025**

P.C.:-

1. Heard learned counsel for the parties.
2. Learned counsel for the Applicant/Appellant, at the outset, tendered an affidavit of service evidencing service on Respondent Nos. 1 and 2. Respondent No. 3 is duly represented by Mr. Nangare.
3. Learned counsel for the Applicant would submits that all Respondents have been duly served.
4. The Interim Application has been filed for condonation of a

delay of 37 days in filing the Second Appeal. According to the Applicant, the delay is 26 days. Be that as it may, a perusal of the averments indicates that sufficient cause has been shown, and the delay has been appropriately explained in paragraphs 3 and 4 of the Interim Application. The delay does not appear to be intentional or deliberate.

5. Learned counsel for the Respondent No. 3 has objected to the Application.

6. For the reasons stated above, and in the interest of justice, it is just and proper to condone the delay and allow the application for condonation of delay.

7. Interim Application is Allowed and Disposed of in the above terms.

(Advait M. Sethna, J.)