

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

INTERIM APPLICATION NO. 8161 OF 2024

Natwarlal Odhavaji Devani

...Applicant

Versus

Laxman M. Chikne

...Respondent

**WITH
SECOND APPEAL (ST) NO. 22409 OF 2023**

Adv. Prathmesh T. Bhanuwanshe, i/by Adv. Sanjay P. Shinde, for the Applicant.

CORAM : ADVAIT M. SETHNA, J.

DATE : 15 DECEMBER 2025

P.C.:

1. This Interim Application has been filed by the Applicant in the Second Appeal praying for condonation of delay of 14 days in filing the Second Appeal.
2. At the outset, Mr. Bhanuwanshe, learned counsel for the Applicant would submit that Respondent Nos. 3, 4 and 5 have been served privately. He undertakes to file an affidavit of service in this regard on or before 24 December 2025.
3. The Court notice was also issued to the said Respondents, however, as per the office record, the notices have remained unserved.
4. Respondent No. 2 has expired, as is evident from the order

passed by the Appellate Court in the Appeal. Accordingly, his name has been deleted from the array of parties.

5. Upon considering the averments made in the Application, having regard to the nature and duration of delay, which is only 14 days and has been sufficiently explained. This Court is satisfied that sufficient cause has been shown for condonation of delay, more particularly paragraphs 4, 5 and 6 of the Interim Application, which have been perused.

6. In my considered view, considering the facts and circumstances of the case and the fact that the proceedings have been pending since 2023, there would be no prejudice would be caused to the respondents if such a short delay of 14 days is condoned, in the interest of justice.

7. For the above reasons, Interim Application is allowed in terms of prayer clause (a) and stands disposed of accordingly.

8. The appeal be placed in due course for Admission, subject to removal of office objections, if any.

[ADVAIT M. SETHNA, J.]