

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.516 OF 2025
IN
FIRST APPEAL (ST) NO.34975 OF 2024

Natwarsinh Ramsinh Chauhan

.... Applicant

Versus

Ganpatsinh Situbhai Chauhan & Ors.

.... Respondents

Mr. Aayush Kedia a/w Adv. Yagni Sarvankar, Advocate for the Appellant.

Ms. Varsha Palav, Advocate for the Respondents.

CORAM : SHIVKUMAR DIGE, J.

DATE : 2nd JULY, 2025.

P.C. :

1. By this application, the Applicant is seeking condonation of delay of 257 days for filing the appeal.
2. Heard learned counsel for the Applicant and learned counsel for the Respondents.
3. Learned counsel for the Respondent strongly objected to allow an application on the ground that the delay is already delayed and there is no proper explanation about the delay. Hence, requested to reject the application.

4. I have heard both the learned counsel. The Applicant has challenged the order passed by the learned Civil Judge, Silvasa, Dadar & Nagar Haveli (for short, “trial Court”). It is settled principal of law that a fair opportunity should be given to a party to present their case. Imposition of heavy costs on the Applicant would meet the ends of justice, and I pass following order :

ORDER

- i. The application is allowed.
- ii. The delay of 257 days for filing the appeal is condoned subject to payment of cost of Rs.2,000/- to the Kirtikar Law Library, High Court, Mumbai.

5. List the First Appeal (St.) No. 34975 of 2024 on 18th August, 2025.

(SHIVKUMAR DIGE, J.)