

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

INTERIM APPLICATION NO.12982 OF 2024

IN

FIRST APPEAL (ST) NO.19671 OF 2024

Mr.Gyanprakash Kumar Nagendra Singh

(since deceased)

i. Mr.Kumar Nagendra Haridayanand & Anr.

.. Appellants

Versus

Hanumant Pundlik Zade & Anr.

.. Respondents

Mr.Yogesh Pande, Advocate for the Applicant.

Mr.Rajesh Kanojia a/w Prachi Pawar i/b Res Juris,
Advocates for Respondent No.2.

**CORAM : B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.**

DATE : JULY 11, 2025

P. C.

1. The above Interim Application has been filed by the Applicants seeking condonation of delay of 1 year and 21 days in filing the above Appeal.

2. When this matter had come up on the earlier occasion (20th June 2025), we were wholly unsatisfied with the averments made in the Application seeking condonation of delay. There were no dates mentioned and no particulars given for the delay. We therefore directed the Applicants to file a further affidavit properly explaining the delay.

3. Pursuant to these directions, an affidavit dated 4th July 2025 has been placed on record. We have perused this affidavit. After going through this affidavit we are satisfied with the explanation given for the aforesaid delay. We accordingly condone the delay in filing the above Appeal.

4. Now that the delay is condoned, all other office objections shall be removed by the learned advocate appearing on behalf of the Appellant within a period of 4 weeks from today, failing which the above Appeal shall stand dismissed without further reference to the Court.

5. The learned advocate appearing on behalf of the Applicants has fairly stated that in the event the amount awarded by the MACT is enhanced by us in this Appeal, they shall not claim interest for the period of the delay caused by them in filing the present Appeal. The said statement is accepted as an undertaking given to this Court.

6. The Interim Application is disposed of in the aforesaid terms. However, there shall be no order as to costs.

7. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]