

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 103 OF 2025**

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Aartirani Aappsao Patil

... Appellant

vs.

Chandrashekhar Shrishailappa Rudagi

... Respondent

Mr. Drupad Patil a/w P.G. Kluskar for the Appellant.

CORAM : GAURI GODSE, J.

DATED : 10th FEBRUARY 2025

ORDER:

1. Heard learned counsel for the appellant. The second appeal raises the following substantial questions of law:

(I) Whether the first appellate court ought to have taken into consideration the intervening period of covid pandemic for considering the reasons for condonation of delay?

(II) Whether the reasons recorded for refusing to condone the delay would amount to a technical approach without considering the effect of dismissal of the application for condonation of delay.

(III) Whether in the facts and circumstances of the case, the first appellate court should have

adopted a liberal approach on the ground that the applicant's right are adversely affected, in view of the trial Court's judgment and decree as she was unable to lead any evidence after filing her written statement was filed?

2. Issue notice to the respondent for final disposal of the second appeal at admission stage on the aforesaid questions of law.
3. Notice is made returnable on 2nd April 2025.
4. In addition to Court notice, learned advocate for the appellant to serve the respondent, by private notice and file affidavit of service.

(GAURI GODSE, J.)