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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
REVIEW PETITION NO. 6 OF 2025
IN
INTERIM APPLICATION NO. 132 OF 2025
IN
APPEAL FROM ORDER (ST) NO. 33025 OF 2024**

Shri Sunil Govind Sood ... Petitioner

Vs.

Neha Jaychandra Bhowad and Others ... Respondents

Mr. Ashutosh Tripathi a/w. Ms. Dipali P. Chavan i/b. Legal Point for the Petitioner.

CORAM : GAURI GODSE, J.

DATE : 28th APRIL 2025

ORDER :

1. This review petition is filed seeking review and recall of order dated 14th January 2025 passed by this court. By order under review, application for condonation of delay for more than two years in filing the appeal from order was dismissed.

2. Learned counsel for the petitioner submits that the delay condonation application was rejected by referring to medical certificate dated 28th September 2024. He, however, submits that alongwith the medical certificate the medical papers of petitioner's

Note : This is the corrected order pursuant to speaking to minutes order dated 18th June 2025.

wife's illness was also attached. He submits that the medical papers pertain to the period from 19th June 2020. He submits that applicant's wife was constantly under medical treatment since June 2020. He therefore submits that the reasons regarding the petitioner's wife's medical illness since 2020 were also attached to the application. He thus submits that since the medical papers from the year 2020 were not considered and the application was rejected only based on the medical certificate dated 28th September 2024 this review petition is filed.

3. I have perused the papers of the review petition as well as the interim application for delay condonation in filing the appeal. Learned counsel for the petitioner is right in submitting that alongwith the medical certificate dated 28th September 2024 the medical papers of the petitioner's wife's illness since June 2020 are also annexed to the application. The medical certificate also refers to the treatment taken by the petitioner's wife since 2nd July 2020.

4. Considering the medical papers attached from June 2020 the review petitioner is right in submitting that those papers are also required to be considered. Hence, the review petition is allowed and the order dated **14th January 2025** is recalled. The Interim Application no. 132 of 2025 in the appeal is restored.

Interim Application No. 132 of 2025

5. Issue notice to respondents returnable on 18th June 2025.
6. In addition to court notice, learned Advocate for the applicants to serve the respondents by private service and file service affidavit before the next date.

[GAURI GODSE, J.]