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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 10046 OF 2025
IN
APPEAL FROM ORDER(ST) NO. 19143 OF 2025**

Mr. Suresh Rohidas Sonule ... Applicant/Appellant

vs.

Shree Markandeya Padmashali Co- ... Respondent
operative Housing Society Ltd

Mr. Santraj Rampyare for Applicant/Appellant.

Mr. Mohit H. Sant for Respondent No.2.

CORAM : GAURI GODSE, J.

DATED : 28th JULY 2025

ORDER:

1. This application is for condonation of delay of 22 days in filing the appeal.

2. Learned counsel for the applicant submits that respondent no.2, i.e. the cooperative society has filed a praecipe in the suit supporting the plaintiff; therefore, the contesting party would be only respondent no. 2. Learned counsel appearing for respondent no.2 opposes the delay condonation application on the ground that vague reasons are given for condonation of delay that the applicant's advocate had proceeded to the native place for attending

marriage of his niece. He submits that the appeal is filed by two advocates jointly and thus, the reasons stated in the application would not be tenable.

3. I have perused the papers of the application. The particulars regarding the absence of the advocate are stated in the application and the copy of the railway tickets is annexed and particulars regarding attending marriage in the village are also stated. Considering the particulars mentioned in the application, the reasons given for condonation of delay are acceptable and justifiable. The objections raised on behalf of respondent no.2 regarding signing of the appeal by two advocates cannot be considered as a ground to disbelieve the reasons stated in the application. The delay is negligible of 22 days. Hence, for the reasons stated in the application, the delay is condoned and the application is allowed in terms of prayer clause (a).

4. Learned counsel for respondent no.2, seeks time to take instructions regarding the merits of the appeal.

5. List the appeal on 16th September 2025. To be listed under the caption for 'fresh admission'.

(GAURI GODSE, J.)