

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

Interim Application No.10263 of 2025(delay)
With
Interim Application No.10264 of 2025(Stay)
In
First Appeal (st) No.20709 of 2025
With
First Appeal (st) No.20709 of 2025

Kalpana Sudhir Chitre ... Applicant
V/s.
Aarti Pradeep Bhoir and others ... Respondents.

Mr. Sanket Gaikwad	Advocate for the Applicant.
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CORAM : S.M. MODAK, J

DATE : 7th October 2025.

P.C. :

Heard learned Advocate for the Applicant-Defendant.

2. Though the Respondents-Plaintiffs have appeared on 1st August 2025, till today reply is not filed. The Court of City Civil, Borivali Division, Dindoshi as per the judgment dated 28th February 2025 decreed the suit of the Plaintiffs. The sale deed was declared null and void. Direction was issued to Sub-Registrar to cancel the registration. The defendant intends to challenge the said judgment. She is suffering from the cancer and medical reports are annexed to the application. There is no rebuttal to this averment. Today no one

is present on behalf of Respondent. I find from the averments to the application and annexures sufficient reasons for condonation of delay. Hence, the application is allowed in terms of prayer clause (a) and disposed of.

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3. Issue notice to Respondents, returnable on **17th November 2025**. Learned Advocate for the Appellant is at liberty to serve learned Advocate for the Respondents.

(S.M. MODAK, J.)