



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAS) NO. 521 OF 2025
IN
SECOND APPEAL ST NO. 2252 OF 2025

Manikrao Bhauraoji Kombe (dead) through Lr's

Vs.

Smt. Panchfulla Vinayakrao Kombe and anr.

*Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order*

Court's or Judge's Order

Ms. V. G. Khadekar, Advocate for applicants/appellants.

CORAM : ROHIT W. JOSHI, J.

DATE : 09.10.2025.

. This is an application for condonation of delay of 606 days in filing the Second Appeal. The applicants have stated that, the judgment was delivered on 22.02.2023 and shortly thereafter, the mother of the applicants expired on 29.05.2023.

2. Subsequently, the father, Manikrao, who was the original plaintiff had expired on 09.03.2024. It is stated in the application that the father himself was looking after the litigation. The applicants have stated that after the demise of their father, applicant No.1 contacted the Advocate and collected relevant papers related to the matter.

3. It is stated that applicants were not properly advised to file the Second Appeal within a prescribed period of limitation. It is also stated that although father, Manikrao was looking after the litigation for quite some

time, he was not able to keep the track of the matter due to old age.

4. The statements which are made on oath are not denied by the non-applicants, who had chosen not to appear in the matter despite being served with notice, as is apparent from the office note dated 04.09.2025.

5. For the reasons mentioned in the application the delay of 606 days caused in filing the Second Appeal St. No. 2252 of 2025 is hereby condoned, subject to payment of cost of Rs.10,000/- to Advocates' Bar Association, Wardha.

6. Cost be paid on or before **15.11.2025**.

(ROHIT W. JOSHI, J.)

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