



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

CIVIL APPLICATION (CAA) NO.28 OF 2025 IN
APPEAL AGAINST ORDER ST. NO.4156 OF 2025

Sunanda Wd/o Sanjay Shinde and another .Vs. Sanjay S/o Pundlikrao Shinde

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

Court's or Judge's Order

Mr. T.S. Deshpande, Advocate for applicants.

Ms. Aparna Jha, Adv. h/f Mr. K.R. Bhise, Adv. for Non-applicant.

CORAM : ROHIT W. JOSHI, J.

DATE : 28/11/2025

1. There is a delay of around 996 days in filing appeal. The reason mentioned in the application for condonation of delay is that after the learned First Appellate Court remanded the proceedings before the learned trial Court, the appellants/applicants are regularly attending the proceedings before the learned trial Court, the applicants met another advocate in some social gathering on 11.01.2024 and that the said advocate advised them to file Appeal Against Order challenging the order of remand passed by the learned First Appellate Court. The judgment and order of remand passed by the learned First Appellate Court is 26.11.2021. The statement in application that the applicants are regularly attending proceedings before the learned trial Court suggests that the order of remand is accepted by them. The reasons mentioned by the applicants cannot be a good ground for condonation of delay of around two and half years.

2. In view of the above, Civil Application is **rejected**.

3. Is it seen that the learned First Appellate Court has directed the learned Trial Court to decide the suit within a period of three months from 07.12.2021 i.e. on or before 07.03.2022. It is informed that the suit is still pending. The learned trial Court is therefore directed to expedite the hearing of the suit and decide the same as expeditiously as possible and in any case before **31.04.2026**.

(ROHIT W. JOSHI, J.)

C.L. Dhakate