



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

CIVIL APPLICATION (CAS) NO.1106/2025
IN
SECOND APPEAL ST. NO.9581/2024

Bhaurao S/o Sitaram Dhurve and another
...Versus...
Smt. Nirmala Ramdas Atram and others

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

Court's or Judge's orders

Mr. V.A. Patait, Advocate for applicants
Ms Kirti Satpute, Advocate for respondent No.1
Mr. Anshul Kurul, Advocate for respondent Nos.2 and 3

CORAM : ROHIT W. JOSHI, J.
DATE : 22/12/2025

1. There is a delay of 13 days caused in filing the second appeal. It is stated in the application that the appeal could not be filed within prescribed period of limitation because of marriage in the family.
2. Learned Advocate for the respondent No.1 has tendered reply across the bar opposing the application stating that delay is more than 13 days. Reference is made to the date of filing of application for condonation of delay in raising such objection.
3. Perusal of the record indicates that appeal was filed initially without application for condonation of delay. Thereafter, application for condonation of delay is filed, in view of office objection that the appeal is barred by limitation. Limitation is required to be computed till the date of filing of

appeal and not till the date of filing of application for condonation of delay.

4. For the reasons mentioned in the application, delay of 13 days caused in filing the appeal is condoned, although learned Advocates for respondent No.1 and respondent Nos.2 and 3 have strongly opposed the same.

5. Civil Application is allowed and disposed of accordingly. List the appeal for hearing on admission on 27/01/2026.

(ROHIT W. JOSHI, J.)

Wadkar