



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

CIVIL APPLICATION (CAS) NO. 05 OF 2024
IN
SECOND APPEAL ST. NO. 22560 OF 2023

Smt. Vandana w/o. Ramesh Chourpagar **Vs.** Raju s/o. Ramdas Walde

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

Court's or Judge's Order

Mr. M. R. Joharapurkar, Advocate for applicants/appellant.
Mr. P. A. Teni, Advocate for non-applicant/respondent

CORAM : ROHIT W. JOSHI, J.

DATE : 19.09.2025.

. This is an application seeking condonation of delay of 284 days caused in filing the second appeal against judgment and decree dated 06.10.2022, passed in Regular Civil Appeal No. 421 of 2017.

2. The applicant has stated that the appeal could not be filed within the stipulated period of limitation on account of the ailment of her son, Amit S/o. Ramesh Chourpagar. Documents pertaining to the treatment of the said son are placed on record. It is stated that Amit is suffering from a heart ailment. In support of the said contention, documents from Government Medical College, Nagpur and other private hospitals are also filed on record.

3. The application is opposed stating that the applicant has other two sons to take care of the son, who is stated to be suffering from certain ailments. It is contended that the nature of the ailment is not such that

the appeal could not have been filed within the stipulated period of limitation.

4. Having regard to the documents placed on record, which are not disputed by the non-applicant in the considered opinion of this Court, taking a liberal view of the matter, the delay deserves to be condoned.

5. Therefore, the civil application is **allowed** by condoning the delay.

6. List the Second Appeal for further consideration on **25.09.2025**.

(ROHIT W. JOSHI, J.)

Tanmay