



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 12996 OF 2025
WITH
INTERIM APPLICATION NO. 12997 OF 2025
IN
FIRST APPEAL (St.) NO. 32601 OF 2025

Sarjerao Daulati Dudhane

...Applicant

Versus

Bajirao Daulati Dudhane and Others

...Respondents

Mr. Shantanu Chavan i/b Mr. Vaibhav Gaikwad for Appellant.
Mr. Larson Vaiti for Respondent No. 1.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : 9th APRIL, 2026

P. C. :

Interim Application No. 12996 of 2025 :

1. Interim Application has been preferred seeking condonation of delay of 20 days caused in preferring the Appeal.
2. Learned counsel appearing for Applicant submits that impugned judgment was passed on 25th July, 2025 and Applicant was not aware of the judgment. He submits that the Application for certified copy was made on 18th August, 2025 and therefore, there is delay of 20 days.
3. Learned counsel appearing for Respondent No. 1 opposes the

application stating that there is no sufficient cause for delay.

4. The application specifically pleads that there was delay in applying for certified copy which is default attributable to Advocate for which the litigant cannot be made to suffer.

5. Considering the delay is of 20 days, liberal approach is required to be adopted.

6. In view of above, delay stands condoned.

7. Interim Application is allowed.

Interim Application No. 12997 of 2025 :

8. Issue notice to Respondents returnable on **10th June, 2026.**

9. In addition to Court notice, Advocate for Applicant to serve the Respondents by private notice by all possible modes of service and file affidavit of service before the next date.

10. Advocate Vaiti waives notice on behalf of Respondent No. 1.

11. The Respondent No. 1 is the original Plaintiff and the contesting Respondent.

12. The suit was filed for declaration of ownership and possession and by the impugned judgment, the suit is decreed and the Defendants were directed to handover the vacant possession of the suit land. It is not disputed that the Appellant is in possession of the suit premises and the *status quo* is required to be preserved failing which the Appeal would be rendered infructuous.

13. In view thereof, till the next date, the parties to maintain *status quo*.

[SHARMILA U. DESHMUKH, J.]