



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1891 OF 2026

IN

FIRST APPEAL (St.) NO. 1946 OF 2026

WITH

FIRST APPEAL (St.) NO. 1946 OF 2026

Syndicate Auto Accessories And Anr.

...Applicants

Versus

Sarla Jani and Others

...Respondents

Ms. Swati Sawant for Appellant.

Mr. Dinesh Kumar Jain for Respondent No. 1 (through VC).

CORAM : SHARMILA U. DESHMUKH, J.

DATE : MARCH 30, 2026

P. C. :

Interim Application No. 1891 of 2026 :

1. Interim Application has been preferred seeking condonation of delay of 66 days caused in filing the First Appeal.
2. Learned counsel appearing for Applicants submits that the impugned judgment was passed on 14th October, 2025 and application for certified copy was filed on 29th October, 2025 which was collected on 12th November, 2025. She would further submit that Applicant No. 2 is aged about 72 years and was undergoing medical treatment and hence, there is delay.
3. Learned counsel appearing for Respondent No. 1 would oppose

the application and would submit that there are no documents which are annexed to the application to substantiate the explanation which has been tendered in the application as regards the delay in delivery of certified copy or filing of the application for certified copy.

4. Delay is of 66 days and there is sufficient explanation as it is specifically pleaded that the application for certified copy was made after 15 days and there was also delay in collecting the certified copy.

5. The delay is not such an inordinate delay which cannot be condoned and liberal approach needs to be adopted in cases where the delay is attributable to Advocate-on-record and litigant cannot be made to suffer for default on the part of Advocate to make the application on time for certified copy.

6. In light of above, delay is condoned.

7. Interim Application is allowed.

First Appeal (St.) No. 1946 of 2026 :

8. Heard.

9. ***Admit.***

10. Call for record and proceedings.

11. Advocate Jain waives notice on behalf of Respondent No. 1.

[SHARMILA U. DESHMUKH, J.]