



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

CIVIL APPLICATION NO. 31 OF 2025

IN

SECOND APPEAL (ST) NO. 14970 OF 2024

UPASHI NARAYAN WAGHMARE (DEAD) THROUGH LRS

Vs.

RAMESH SHYAMRAO DEVIGIRKAR

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

Court's or Judge's orders.

Mr. Dhiraj R. Bhoyar, Advocate for the Appellant.

Mr. Pushkar Deshpande, Advocate for the Respondent/non-applicant.

CORAM : ROHIT W. JOSHI, J.

DATE : 17th JANUARY, 2026.

1. There is a delay of 649 days in filing the second appeal. It is not disputed that non-applicant in Second Appeal No.128 of 2023 has also challenged the decree against which the present second appeal is filed and that the said appeal is pending for admission. This appeal therefore could have been filed as a cross objection in the said appeal. If the said course was adopted the cross objection would be within limitation.

2. In view of the aforesaid, application for condonation of delay in filing the second appeal is allowed.

3. List the appeal for hearing along with Second Appeal No.128 of 2023.

(ROHIT W. JOSHI, J.)