



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

WRIT PETITION NO.5070 OF 2025

BEBI WD/O SADASHIV DHURVE (DECEASED) AND OTHERS
VERSUS
ABDUL KHALID ABDUL RASHID AND ANOTHER

<i>Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders</i>	<i>Court's or Judge's orders</i>
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Mr. T.J. Patil, Advocate for Petitioners.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 28th JANUARY 2026

PER COURT :-

1. Heard learned Advocate for the petitioners.
2. By this petition, the petitioners have challenged the order dated 14.08.2019, passed by District Judge-3, Akola, thereby rejecting the application for condonation of delay of about 12 years and 7 months in filing statutory appeal.
3. By the impugned order, the appellate court has refused to condone the delay by observing that there are no bonafide and trustworthy reasons demonstrating any sufficient cause for condonation of delay. This order is challenged by the petitioners by way of instant petition, which was filed on 09.04.2025. Although the petitioners have challenged the order dated 14.08.2019, there are

absolutely no reasons and contentions in the memorandum of petition demonstrating any sufficient cause for delay in filing the instant petition. The instant petition filed after about seven years after the impugned order is passed, which suffers from delay and laches.

4. Apart for this, a bare perusal of the impugned order shows that the trial court has given due consideration to the relevant aspects and having found that the grounds mentioned for condonation of delay were not bonafide and trustworthy and by further observing the negligent conduct of the applicant, refused to condone the delay of 12 years and 7 months. I do not find any perversity in the impugned order. Therefore, the writ petition deserves to be dismissed on this count alone. Hence, the writ petition is dismissed with no order as to costs.

(PRAFULLA S. KHUBALKAR, J.)

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