



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

WRIT PETITION NO.4452/2026

Shri Kanhaiyalal s/o Shivpratap Mandhana

...Versus...

Shri Gopal s/o Ganeshram Laddha and another

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

Court's or Judge's orders

Mr. C.F. Bhagwani, Advocate for petitioner

CORAM : ROHIT W. JOSHI, J.

DATE : 08/06/2026

1. The present petition takes exception to the order dated 17/12/2025, passed by the learned Special Court for Differently-Able Persons, Senior Citizens and Marginalized Sections of the Society, Nagpur and District Judge-9, Nagpur in Civil Misc. Application No.970/2022, thereby condoning delay of 36 days, caused in filing Regular Civil Appeal under Section 96 of the Code of Civil Procedure.

2. Perusal of application will demonstrate that the respondent No.1/original applicant has stated that he was suffering financial hardship due to Covid-19 situation and therefore, could not arrange for court fees and advocate's fees for the purpose of filing of appeal.

3. First Appeal is a valuable statutory right. Delay caused in filing first appeal is only of 36 days. The learned first Appellate Court has accepted the explanation offered by the respondent No.1/original applicant while condoning the delay. The discretion exercised by the learned first Appellate Court

does not warrant any interference. Writ Petition is, therefore, dismissed with no order as to costs.

(ROHIT W. JOSHI, J.)

Wadkar