



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1636 OF 2013
IN
FIRST APPEAL (ST.) NO. 26790 OF 2012

WITH
FIRST APPEAL (ST.) NO. 26790 OF 2012

WITH
INTERIM APPLICATION NO. 10175 OF 2025
IN
FIRST APPEAL (ST.) NO. 26790 OF 2012

Dr. Sulochana D. Telang & Anr

....Appellants/Applicants

Versus

Arun Jakhade & Ors.

....Respondents

Mr. Sarvesh Deshpande i/by Mr. Tejas Dande for the Appellants/Applicants.

Mr. Pramod J. Pawar for the Respondents.

CORAM : JITENDRA JAIN, J.

DATED : 26th MARCH 2026

P. C. :

1. This application is filed for condoning the delay of 106 days in filing the appeal challenging the order passed by Pune Court on 17th December, 2011.

2. The appeal had to be filed within 90 days. However, the appeal was filed on 27th September, 2012. Therefore, there is a delay of approximately more than 180 days.

3. The applicant in its application has counted the limitation period from 01st March, 2012, but it is not clear whether on that day, the certified copy was received or not. Therefore, the delay of approximately 180 days were counted from 17th December, 2011 and in any case, if 01st March, 2012, then the delay is of 106 days.

4. The reasons given in paragraph 02 of the application is that the plaintiffs were trying to settle the issue with the defendant. However, except making bald statement, there is nothing to indicate the same. The applicant should have annexed some documents in support thereof.

5. Furthermore, the applicant further states that the appeal was a last hope of the applicant and, therefore, was more cautious in handing over the papers to the lawyer.

6. In my view, none of these two reasons constitute “sufficient cause”, in the absence of any documents in support thereof.

7. Since no “sufficient cause” is made out, the application for condoning the delay is dismissed.

8. Consequently, First Appeal also stand dismissed and other Interim Applications/Civil Applications, if any, do not survive and are disposed of accordingly.

[JITENDRA JAIN, J.]