

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 989 OF 2015
IN
APPEAL FROM ORDER (ST.) NO. 15503 OF 2015

M/s. Allied Ferromelt Pvt. Ltd.	... Applicant
Vs.	
Maharashtra State Electrical Distribution Company Limited	... Respondent

Mr. Prathamesh B. Bhargude, Advocate for the applicant.
None for the respondent.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE : 22nd SEPTEMBER, 2015

P.C.:

This Application is moved for condonation of delay. As per the office objections, there is a delay of 77 days in filing this Appeal from Order. Pursuant to the order dated 25th August, 2015, private service of notice was allowed. The applicant served the respondent privately and affidavit of service to that effect is filed on 9th September, 2015.

2. The learned counsel for the applicant submitted that before filing this Appeal from Order, earlier the appellant filed First Appeal No. 693 of 2014, however, when it appeared before the Division Bench for hearing, it was found that instead of First Appeal, the Appeal should have been filed under Order 43 Rule 1 and thereafter steps were taken and appellant filed

this Appeal from Order. Hence, the delay be condoned.

3. In view of the uncontroverted submissions, delay is condoned. Civil Application is allowed.

4. Appeal be registered. Place the Appeal from Order for admission on 6th October, 2015.

5. Issue notice to the respondent, returnable on 6th October, 2015. Private service is also allowed.

(MRIDULA BHATKAR, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed
Judgment/Order.