

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.354 OF 2014
IN
SECOND APPEAL (ST) NO.1559 OF 2014**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Ms.Namrata Bobade i/b Mr.M.J.Bhat for the applicant

Mr.Sudhir Prabhu for the respondent no.1

CORAM : K.K.TATED, J.
DATED : 21/09/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 Though other respondents are duly served, no one appeared on behalf of them when the matter was called out.
- 3 This application is preferred by defendant for condonation of 40 days delay in filing Second Appeal challenging the decree dated 4.9.2013 passed by Appellate Court in Civil Appeal No.36 of 2005.
- 4 The learned counsel for the respondent no.1 vehemently opposed the present Civil Application. He submits that applicant has not shown sufficient

cause for condonation of delay.

5 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

- a) Delay of 40 days in preferring Second Appeal is condoned.
- b) Civil application stands disposed off accordingly.

(K.K.TATED, J.)

CERTIFICATE

Certified to be true and correct copy of the original
signed order.