

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

CIVIL APPLICATION NO.48 OF 2014
IN
FIRST APPEAL (ST) NO.6844 OF 2013

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. A. K. Nandanwar for the Applicant
Mr. Anand Mishra i/b. A. M. Saraogi for the Respondent No.1.

CORAM : K. K. TATED, J.
DATE : MARCH 12, 2015

P.C.:

1. Heard. Though Respondent No.2 duly served, none appeared for them.

2. This Application is preferred by the Corporation for condonation of 298 days delay in filing the appeal challenging the judgment and decree dated 09/03/2012 passed by the Bombay City Civil Court, Mumbai in L.C.Suit No.2616/2005.

3. The learned counsel for the Respondent No.1 vehemently opposed the Civil Application. He submits that the Applicant has not shown sufficient cause for condoning the inordinate delay of 298

days. The Respondent No.1 filed their Affidavit-in-Reply dated 03/03/2015.

4. 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. At the same time, the Applicant shall pay cost of Rs.750/-. Cost to be deposited in the office of Kirtikar Law Library, High Court, Bombay, within 6 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

5. Hence, the following order:

a) Delay of 298 days in filing the appeal is condoned, subject to the Applicant depositing cost of Rs.750/- in the office of Kirtikar Law Library, High Court, Bombay, within 6 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

b) Civil application stands disposed off accordingly.

JUDGE