

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

CIVIL APPLICATION NO.4327 OF 2013
IN
FIRST APPEAL (ST) NO.10900 OF 2013

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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Mr. Nikhil Behl h/f. M/s. Thakore Jariwala & Associates for the Applicant
Mr. Bhushan Walimbe i/b. A.N. Gosavi for the Respondent No.1
Mrs. M. R. Bhoir for Municipal Corporation

CORAM : K. K. TATED, J.
DATE : APRIL 24, 2015

P.C.:

1. Heard. This Application is preferred by Defendant No.2 for condonation of 157 days delay in filing the First Appeal challenging the judgment and decree 27/09/2012 passed by Bombay City Civil Court, Mumbai in L.C.Suit No.4492/2004.

2. Both the counsel for the Respondent vehemently opposed the Civil Application. They submits that the Applicant has not shown sufficient cause for condonation of delay. There is no substance in the Civil Application. Same be dismissed with costs.

3. 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.

4. Hence, the following order:

a) Civil Application is allowed in terms of prayer clause (a) which reads thus:

a. that the delay of 157 days in filing the above First Appeal be condoned and First Appeal be taken on record.

b) Liberty granted to the Applicant to prefer appropriate Application for remaining prayers.

c) Civil Application stands disposed off accordingly.

JUDGE