

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

CIVIL APPLICATION NO.3076/2014
IN
FIRST APPEAL (ST) NO.11155/2014

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

Ms. Megha Shivgan i/b. Mohit Jadhav for the Applicant
Mrs. M. R. Bhoir for the Respondent.

CORAM : K. K. TATED, J.
DATE : JULY 10, 2015

P.C.:

1. Heard. This Application is for condonation of 213 days delay in filing the appeal challenging the decree dated 11/07/2013 passed by the Bombay City Civil Court, at Mumbai in L.C.Suit No.1118/2009.

2. The learned counsel for the Respondent corporation vehemently opposed the Civil Application. He submits that the Applicant has not shown sufficient cause for condonation of inordinate delay. Hence, there is no substance in the Civil Application. Same be dismissed with costs.

3. Considering the submission made by the learned counsel for the Applicant and the averments made in the Civil Application, I am of the opinion that the Applicant has made out a case for allowing the Civil Application. At the same time, the Applicant has to pay cost of Rs.5000/- to the Respondent corporation.

4. Hence, following order is passed:

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

“(a) that the delay of 213 days for filing the present appeal be condoned and that the Appellant be allowed to file the present appeal.”

b. Cost of Rs.5000/- shall be paid to the Respondent corporation within 6 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

c. Civil Application stands disposed of accordingly.

JUDGE