

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

**CIVIL APPLICATION NO.1026 OF 2014
IN
FIRST APPEAL (ST) NO.12188 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.Mohit Jadhav for the applicant

None for the respondents

**CORAM : K.K.TATED, J.
DATED : 11/02/2015**

PC:

- 1 Heard the learned counsel for the parties.
- 2 Though respondents are duly served, no one appeared on behalf of them when the matter was called out.
- 3 This application is preferred by original defendant no.3 for condonation of 364 days delay in filing First Appeal challenging the judgment and decree dated 23.2.2012 passed by Bombay City Civil Court at Dindoshi, Goregaon, (Borivali Division), Mumbai in S.C. Suit No. 1089 of 2004.
- 4 Considering the submissions made by the learned counsel for the Applicant and the

averments made in Civil Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

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

“(a) that the delay of 364 days for filing the present Appeal be condoned and that the Applicant be allowed to file the present Appeal.”

b) Civil Application is disposed of accordingly.

(K.K.TATED, J.)