

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

**CIVIL APPLICATION NO. 846 OF 2015
IN
APPEAL FROM ORDER (ST) NO. 13220 OF 2015**

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. Rajendra Mishra for the applicant.
Mr. J. K. Shah for the respondent.

**CORAM : K. K. TATED, J.
DATED : 16/06/2015.**

P.C.:

. Heard learned Counsel for the parties.

2 This Application is preferred by the defendant for condonation of 71 days delay in filing Appeal from Order.

3 The learned counsel for the respondent plaintiff submits that delay may be condoned, but subject to the payment of cost.

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.

5 Hence, the following order:

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

“a) That the delay of 71 days in preferring the present appeal from order be condoned and the Appeal from Order be heard on merits.”

ii) Applicant to pay cost of Rs.2,500/- to the respondent within three weeks from today.

iii) Civil application stands disposed off accordingly.

(K.K.TATED, J.)