

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO.987 of 2015**  
**IN**  
**APPEAL FROM ORDER ST. NO.15780 OF 2015**

M/s.S.S.K. Developers ... Appellant

Vs.

M/s.J.K. Developers ... Respondent

Mr.G.S. Godbole i/b D.S. Patil for the Appellant  
Mr.T.D. Deshmukh for Respondent No.1  
Mr.Vaibhav Sugdare for Resp. Nos.3 & 5

**CORAM: MRS.MRIDULA BHATKAR, J.**

**DATE: 27<sup>th</sup> AUGUST, 2015**

**P.C.:**

1. This application is filed for condonation of delay of 318 days in preferring the appeal. It is submitted by the learned Counsel for the appellant that after the rejection of the interim application by the Civil Judge, Senior Division, Pune, the father of one of the partners of the appellants expired and, therefore, some time was consumed. Moreover, in between talks of settlement were going on and the appeal could not be filed within time.

2. The learned Counsel for Respondent No.1 and the learned Counsel for Respondent Nos.3 and 5 are present. Other respondents, though

served, are not present. The learned Counsel for Respondent Nos.3 to 5 submits that in this application, there is also a prayer for injunction. However, there is no injunction granted as on today.

3. Considering the reasons mentioned in the application so also considering the submissions of the learned Counsel for the applicant, the Civil Application is allowed. The delay of 318 days is condoned. Appeal be numbered and listed for admission on 21<sup>st</sup> September, 2015.

4. Civil Application stands disposed of accordingly.

**(MRIDULA BHATKAR, J.)**