

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

**CIVIL APPLICATION NO.1124 OF 2015
IN
APPEAL FROM ORDER (ST). NO.20109 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.S.N.Vaishnava with Mr.Rahul Raut i/b
M/s.N.N.Vaishnava and Co. for the applicant

Mr.Bhupesh Dhumatkar for the respondent
no.1

CORAM : K.K.TATED, J.
DATED : 30/07/2015

PC:

- 1 Not on board. At the request of Advocate for the applicant, matter is taken on board for urgent orders.
- 2 Heard the learned counsel for the parties.
- 3 Advocate for the applicant makes a statement that they are not pressing the present Appeal from Order against respondent nos.2 and 3 i.e. Susheela Natwar Patel and Natwarlal Mafatlal. Hence, Appeal from Order as well as Civil Application stand dismissed against respondent nos.2 and 3.
- 4 This application is for condonation of 87 days delay in filing Appeal from Order challenging the order dated 12.3.2015 passed by Bombay City Civil

Court at Bombay in unregistered Notice of Motion in S.C.Suit No.9481 of 1999 declining to grant leave to register the Notice of Motion.

5 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 Civil Application. Hence, following order:

- a) Delay of 8 days in filing Appeal from Order is condoned.
- b) Appellant to remove all office objections in Appeal from Order within two weeks from today, failing which same shall stand dismissed without referring back to the court.
- c) If all office objections are removed within stipulated time as stated hereinabove office is directed to place Appeal from Order along with pending Civil Application on board for admission.
- d) Civil Application is disposed of accordingly.

(K.K.TATED, J.)