

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3183 OF 2015
IN
FIRST APPEAL st. NO.23031 OF 2015

The Bombay Dyeing & Manufacturing
Company Ltd.

... Applicant

Vs.

Godrej B. Bharthania

... Respondent

Mr.G.S. Godbole i/b Negandhi Shah & Himayatullah for the Applicant
Mr.S. Barucha with Mr.A.K. Gopalan i/b M/s.Haresh Mehta & Co. for
Respondent

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 30th OCTOBER, 2015

P.C.:

1. The amendments are carried out by the appellant and now the legal representatives of the present respondent are brought on record and the appearance is filed on behalf of the respondents.
2. There is a delay of 58 days in filing the appeal. The learned Counsel for the applicant submits that there was a confusion in respect of appeal period as under the Limitation Act, the period is 90 days for filing first appeal and as per the provisions of the City Civil Court Act, it is 30 days. Therefore, the delay of 58 days has been caused.
3. The learned Counsel for the respondent has opposed the application. However, in view of the submissions and sufficient cause

made out, the delay is condoned. Appeal be numbered.

4. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)