

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

**CIVIL APPLICATION NO.4353 OF 2014
IN
FIRST APPEAL (ST). NO.31351 OF 2014**

Mrs.Kalpanaben Ishwarbhai Jogi and Ors. .. Applicants

Vs.

The Small Industries Co-op.Estates Ltd.
and Ors. .. Respondents

Mr.Anthony T. Marques for the applicant

Mr.Shishir Joshi i/b Mr.Chetan Mhatre for the respondent no.1

CORAM : K.K.TATED, J.
DATED : 7TH JANUARY, 2015

PC:

1 At the request of advocate for the applicant, applicant is permitted to delete respondent nos.2 and 3 from the present Civil Application as well as First Appeal. Amendment be carried out within four weeks from today.

2 Heard the learned counsel for the applicant.

3 This application is preferred by original plaintiff no.1 to 6 for condonation of 34 days delay in filing First Appeal challenging the judgment and decree dated 17th September, 2014 passed by Bombay City Civil Court at Bombay in L.C.Suit No.7127 of 2004.

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. Hence, following order:

- a) Delay in preferring the First Appeal is condoned.
- b) Civil Application is disposed of accordingly.

(K.K.TATED, J.)