

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

CIVIL APPLICATION NO.1401 OF 2014
IN
APPEAL FROM ORDER (ST) NO. 32314 OF 2014

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. A. Bhagwat i/b. H. Nagindas Associates for the Applicant.

Mr. Shingrani for the Respondents.

CORAM : K. K. TATED, J.

DATE : FEBRUARY 17, 2015

P.C.:

1. Heard. This Application is preferred by Defendant No.1 for condonation of 16 days delay in filing the appeal challenging the order dated 10/10/2014 passed by the Bombay City Civil Court, Mumbai in Notice of Motion No.1277/2014 in Suit No.442/2009.

2. The learned counsel for the Respondent vehemently opposed the Civil Application. They filed their Affidavit-in-Reply. The learned counsel for the Respondent submits that the Applicant has not shown sufficient cause for condonation of delay in preferring the appeal. He submits that the delay is more than 16 days. Hence, there is no substance

in the Civil Application. Same be dismissed.

3. Considering the submissions made by the learned counsel for the Applicant and the reasons disclosed in paragraph 13 of the Civil Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, the following order:

a) Delay in preferring the appeal is condoned.

b) Civil application stands disposed off accordingly.

c) Ad-interim relief granted by this court on 09/12/2014 in Civil Application No.1401/2014 to continue till admission of the appeal.

JUDGE