

Bhagatsingh Jesrani Applicant

Bhagatsingh Jesrani Appellant

Crowe Boda & Co. Pvt. Ltd., Mumbai. Respondent

**CORAM : V.M. KANADE &
DR. SHALINI PHANSALKAR-JOSHI, J.J.**

DATE : 24TH AUGUST, 2015.

1. Heard learned counsel for the parties.
2. For the reasons stated in the affidavit in support of the Notice of Motion, the delay caused in filing the Appeal against the impugned order is condoned.

3. The Applicant is a senior citizen and has stated in his affidavit in support of the Notice of Motion that due to old age and illness, he could not file the present Notice of Motion in time. The explanation given by the Applicant is a plausible explanation and, therefore, we are satisfied with the explanation given by him. It is not necessary to give detailed particulars and produce documents in support of his illness.

4. The impugned order is set aside. Appeal is restored to file. The Notice of Motion is allowed in terms of prayer clauses (a) and (b).

5. We are informed that the office objections have already been removed. Hence, place the Appeal (Lodging) No.224 of 2012 for admission on 7th September, 2015.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[V.M. KANADE, J.]