

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.74 OF 2014
IN
NOTICE OF MOTION NO.1210 OF 2012
IN
APPEAL (LODGING) NO.229 OF 2012
IN
NOTICE OF MOTION NO.4224 OF 2006
IN
SUIT NO.3279 OF 2006

Bhagatsingh Jesrani		Applicant / (Org. Appellant)
<i>In the matter between</i>		
Bhagatsinh Jesrani		Appellant / (Org. Plaintiff)
V/s.		
Crowe Boda & Co. Pvt. Ltd., Mumbai.		Respondent / (Org. Defendant)

Mr. Gauraj Shah, i/by M/s. S. Kothari & Co.,
for the Applicant.

Mr. Kunal Shah, i/by M/s. Bhat & Saldhana, for
the Respondent.

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

DATE : 24TH AUGUST, 2015.

P.C. :

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 Notice of Motion No.1210 of 2012 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. Hence, the Notice of Motion is allowed in terms of prayer clauses (a) and (b).

4. The Notice of Motion is disposed of in the above terms.

5. We are informed that the office objections have already been removed. Hence, place the Appeal (Lodging) No.229 of 2012 for admission on 7th September, 2015.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[V.M. KANADE, J.]