

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

**CIVIL APPLICATION NO.4333 OF 2013
IN
FIRST APPEAL STAMP NO.4307 OF 2013**

**Khirati Mahamad Sayyad : Applicant.
Versus
Mahmoud @ Mabud Maksud Sayyad & ors. : Respondents.**

**Mr. M A Utagikar for the Applicant.
Mr. R G Shinde for the Respondents.**

**CORAM : R. M. SAVANT, J.
DATE : 30th June 2016**

P.C.

1 The above Civil Application has been filed by the Applicant seeking condonation of delay of 261 days in filing the above First Appeal. The reasons therefor are mentioned in paragraph 2 of the Civil Application. The sum and substance of the reasons is that the Applicant had to make financial arrangement for filing of the proceedings for challenging the order granting probate to the Respondents herein and in the process delay has occurred.

2 The learned counsel appearing on behalf of the Respondents Shri R G Shinde submits to the orders of the Court.

3 Hence accepting the reasons mentioned in the Civil Application, the same is allowed. Resultantly the delay of 261 days in filing the above First

Appeal stands condoned. List the above First Appeal for admission on 28/07/2016. The above Civil Application is accordingly disposed of.

[R.M.SAVANT, J]