

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.879 OF 2016
IN
FIRST APPEAL St.NO.6843 OF 2016**

Hira Films Pvt Ltd.

..Applicant

Vs

Prasad Film Labs (Mumbai) Pvt Ltd.

..Respondent

**Ms Dipti Panda i/b Purnanand & Co. for the Applicant
Mr. Abhijit Marathe for the Respondent**

CORAM : R. M. SAVANT, J.

DATE : 11th JULY, 2016

P.C.

1 The above Civil Application has been filed seeking condonation of delay of 261 days in filing the above First Appeal. The reasons therefor are mentioned in paragraphs 3 and 4 of the above Civil Application. The Learned Counsel Mr. Marathe appearing for the Respondent opposes the above Civil Application but ultimately leaves it to this Court. Hence accepting the reasons mentioned in the above Civil Application and having regard to the fact that litigant should be allowed to prosecute his remedy on merits rather than being thrown on technicalities the same is allowed, resultantly the delay of 261 days in filing the above First Appeal stands condoned. The Applicant to pay costs of Rs.5000/- to the Respondent within two weeks from date. List the above First Appeal for admission on 25-7-2016 along with Civil Revision Application St No.11138 of 2016. The Civil Application is accordingly disposed of.

[R.M.SAVANT, J]