

Sequeira

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

CIVIL APPLICATION NO. 1106 OF 2016

(For delay)

in

SECOND APPEAL (St.) NO.16289 OF 2016

Along with

CIVIL APPLICATION NO. 1107 OF 2016

(For stay)

Shri Rasiklal Nemichand Sarnot.

... Appellant /
Applicant

V/s.

Shri Ramesh Narayan Patel & ors.

... Respondents.

Mr.Sanjay Kshirsagar, for Applicant in both C.A and Appellant.

Mr.Nikhil Chavan, for Respondent Nos.1, 2A to 2F.

CORAM : N.M.Jamdar, J.

Friday, 22 July 2016.

P.C. :

Heard learned counsel for the parties.

2. The Civil Application No.1106 of 2016 is taken out for condonation of delay of eight days in filing the Second Appeal. The learned counsel for the Respondents submits that even though the delay in filing the Appeal is short it has been continuous conduct of the Appellant of prolonging the matter throughout the proceedings.

3. I have gone through the Civil Application. The cause made out for condonation of the present delay of eight days having been found sufficient, the Civil Application is allowed. Delay in filing the Second Appeal stands condoned.

4. As regards the contention of the learned counsel for the Respondents, it is made clear that even though delay is condoned in this Civil Application it will be open to the Respondents to urge submissions regarding the conduct of the Appellant, when the Second Appeal and the Civil Application for interim relief are taken up. The submissions will be considered on its own merits. Place the Appeal on board on 27 July 2016. All office objections be removed before the next date.

(N.M.Jamdar, J.)