

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1470 OF 2015
IN
APPEAL FROM ORDER (STAMP) NO.19364 OF 2015

Prakash Dattatraya Hoval	 Applicant
V/s.	
Jayashree Dattatraya Hoval & Ors.	 Respondents

Ms. Smita R. Gaidhani for the Applicant.

None for the Respondents.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 27TH SEPTEMBER 2016.

P.C. :

1. Heard learned counsel for the Applicant.
2. This is an application for condonation of delay of 92 days in preferring the Appeal from Order, challenging the order dated 20th April 2015 passed by of the learned Judge of the City Civil Court, Mumbai in Notice of Motion No.633 of 2015 in Suit No.5559 of 2007.
3. The office note reveals that the notice of this Civil Application is duly served on all the respondents. Learned counsel for the applicant has also filed affidavit-of-service stating that private notice was also served on all the respondents.

4. In view thereof, as no one is appearing on behalf of the respondents and contesting this Civil Application, for the reasons stated in paragraph Nos.4 and 5 of the Civil Application, as sufficient cause is made out, the delay in preferring the Appeal from Order is condoned.

5. Civil Application is, accordingly, allowed in terms of prayer clause (a), with no order as to costs, and disposed of.

6. Office is directed to register and number the Appeal from Order and place it for admission as per C.M.I.S. date.

[DR. SHALINI PHANSALKAR-JOSHI, J.]