

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2791 OF 2015
IN
FIRST APPEAL (ST.) NO.3217 OF 2015

Mohammed Shamim Mohammed Yasin ... Applicant

vs.

Fatmabai Binte Nakhuda Mohammed
and Others ... Respondents

Mr. Umesh Waydande, for the Applicant.

Mr. Drupad Patil, for Respondent Nos. 1, 3 and 4.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 12th FEBRUARY, 2016

PC.:

. This application is moved for condonation of delay. There is delay of 157 days in filing the Appeal. The learned counsel for Respondent Nos. 1, 3 and 4 is present. He submits that Respondent No. 2 Mohammad Saeed Fashatay was one of the trustee. He died during the pendency of the suit. He submits that, he is not aware whether any other trustee is substituted in his place or not.

2. The learned counsel for the Applicant submits that he

could not file the Appeal as the Appellant is poor and it took time to make financial arrangement for him.

3. In view of this, the civil application is allowed. The delay of 157 days is hereby condoned. The Appeal be registered.

4. Stand over to 4th March, 2016 for admission.

(MRS.MRIDULA BHATKAR, J.)