

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

***CIVIL APPLICATION NO. 1392 OF 2015
IN
APPEAL FROM ORDER (ST) NO. 20614 OF 2015***

Darshana Kutir Coop. Housing Society Ltd.,
Mumbai.

... Applicant

v/s

Purnima Jayant Bhimani & ors.

... Respondents

Ms.Ulka Saranjame for the applicant.

Mr.Chinmay Gupte i/by Mohit Gadkari for the respondents.

CORAM: N.M. JAMDAR, J.

DATED : 15 MARCH 2016

PC.:

The Application is taken out for condonation of delay of 59 days in filing the appeal. The appeal challenges the order passed on 29 April 2015 restraining the Appellants from using the property.

2 Perused the application. The Applicant is a Co-operative Housing Society. The Applicant has given reasons as to why the delay occurred in filing the appeal, which reasons are cogent. Learned counsel for the Respondents opposes and states that the

Applicant could have approached this Court early.

3 Having heard the learned counsel for the parties and considering the facts and circumstances, I am of the opinion that, the delay of 59 days in filing the appeal deserves to be condoned.

4 Accordingly, the civil application is allowed in terms of prayer clause (a).

5 Place the appeal on board as per the C.M.I.S. date.

(N. M. JAMDAR, J.)