

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

**CIVIL APPLICATION NO.669 OF 2015
IN
CIVIL REVISION APPLICATION STAMP NO.24595 OF 2015**

**United Commercial Bank : Applicant.
Versus
Hedavkar Mechanical Work Pvt. Ltd. : Respondent.**

**Mr. Nainesh N Amin for the Applicant.
Mr. O A Vaishnaw for the Respondent.**

**CORAM : R. M. SAVANT, J.
DATE : 03rd February 2016**

P.C.

1 The above Civil Application has been filed seeking condonation of delay of 97 days in filing the Civil Revision Application. The reasons therefor are mentioned in paragraphs 4, 5 and 6 of the Civil Application. The sum and substance of the reasons was that some time was lost in arriving at a decision to challenge the judgment and order dated 18/02/2015 passed by the Appellate Bench of the Small Causes Court, thereafter for drafting of the Writ Petition and getting approval of the draft of the Writ Petition from the higher authorities of the Bank. The reasons therefore are revolving around the delay on account of administrative reasons. The Applicant is a scheduled bank and is faced with a decree of mesne profits.

2 The above Civil Application has been opposed to on behalf of the

Respondent by filing a reply. The reasons given by the Applicant in the above Civil Application are sought to be contested.

3 In my view, having regard to the fact that the Applicant is a scheduled bank as also having regard to its administrative structure some time is usually lost in arriving at a decision as to whether to file further proceedings challenging the orders passed by the Lower Courts. The reasons mentioned by the Applicant in paragraphs 4, 5 and 6 therefore commend acceptance. The above Civil Application is accordingly allowed. Resultantly, the delay of 97 days in filing the above Civil Revision Application stands condoned. List the above Civil Revision Application for admission on 02/03/2016. The above Civil Application is accordingly disposed of.

[R.M.SAVANT, J]