

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9256 OF 2015

Smt. Savita Jalamchand Dhalawat and others .. Petitioners

Versus

Mr. Pandurang Gajanan Mokashi .. Respondent

Mr. Vishal Kanade a/w Mr. Dinesh Parmar, Mr. Pranab Chalke i/by
DSR Legal, for the Petitioners.

Mr. Kiran Jain a/w Ms. Neeta Solanki i/by Kiran Jain & Co., for the
Respondent.

CORAM : R.M. SAVANT, J.

DATE : 26th FEBRUARY 2016

PC.

1. The above Writ Petition takes exception to the order dated 24.07.2015 passed by the Learned I/c Principal District Judge, Pune, by which order, Civil Misc. Application No.521 of 2015 filed for condonation of delay of 39 days in filing the Review Application against the judgment and decree dated 04.03.2015 passed by the Appellate Court came to be rejected. The Learned Counsel appearing on behalf of the Respondent/Plaintiff Mr. Kiran Jain makes a statement that the Respondent has no objection to the said delay being condoned and Review Application being proceeded with on merits. In view of the said statement, it is not necessary to go into the merits of the impugned order. The impugned order

accordingly to stand set aside. The delay in filing the Review Application stands condoned. The Review Application to be taken up for hearing by the Lower Appellate Court as per its convenience however to be disposed of expeditiously. The Writ Petition is accordingly disposed of.

2. The ad-interim relief which is operating in the above Writ Petition would continue to operate for two weeks so as to enable the Petitioner to make an appropriate application for interim reliefs before the Lower Appellate Court. Needless to state that if any such application is made, the same would be decided on its own merits and in accordance with law.

3. Parties to act on a copy of this order duly authenticated by the Court Shirestedar.

[R.M. SAVANT, J]