

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 3 OF 2016
IN
CROSS OBJECTION (ST.) NO. 30421 OF 2015
IN
FIRST APPEAL NO. 1675 OF 2012**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. Kishor Patil for the Applicant.

Mrs. Pratibha Shelke i/b P. J. Thorat for the Respondent.

**CORAM : K. K. TATED, J.
DATED : 13/01/2016**

PC.:

. Heard learned Counsel for the parties.

2 This application is preferred by Respondent No.1 for condonation of 1 year and 98 days delay in filing of cross objection.

3 The learned Counsel for the Applicant submits that on account of shifting of Advocate's office from Thane to Fort, there was communication gap for substantial period. He submits that they have good chance of success in the present matter. He further submits that if delay is not condoned, irreparable loss and injury will be caused to the applicant.

4 On the other hand, the learned Counsel for

the Respondent vehemently opposed the present Civil Application. She submits that applicant has not shown sufficient cause for condonation of delay. There is no substance in the civil application. Hence, civil application be dismissed with costs.

5 I heard both the sides at length. Considering the submissions made by learned counsel for the applicant and reasons disclosed in paragraph 4 of civil application, I am satisfied that applicant has made out the case for allowing the civil application. But, Applicant to pay cost of Rs.500/- to the Appellant within four weeks from today.

6 Hence, following order.

A) Delay of one year and 98 days in filing cross objection on behalf of Respondent No.1 Madhukar Sakharam Gandhi, is condoned.

B) Applicant to pay cost of Rs.500/-to the Appellant within four weeks from today.

C) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)