

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

CIVIL APPLICATION NO.1918/2015
IN
FIRST APPEAL (ST) NO. 32008/2014

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Anil Borkar for the Applicant

Mr. S. P. Thorat for the Respondent Nos.2 and 3.

CORAM : K. K. TATED, J.

DATE : JANUARY 4, 2016

P.C.:

1. Heard the learned counsel for the Applicant and Respondent Nos.2 and 3.

2. The learned counsel for the Applicant submits that Respondent No.1 is duly served. To that effect, he filed Affidavit of service dated 26/02/2015. Same is on record.

3. This Application is made by the Plaintiff for condonation of 79 days delay in preferring the appeal challenging the judgment and decree dated 05/08/2014 passed by the Bombay City Civil Court, Mumbai in S.C.Suit No.2520/2013.

4. The learned counsel for the Respondent Nos.2 and 3 vehemently opposed the Civil Application. He submits that the Applicant has not shown sufficient cause for condonation of delay. Hence, there is no substance in the Civil Application. Same be dismissed with costs.

5. Considering the submissions made by the learned counsel for the Applicant and the averments made in paragraph 3 of the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

6. Hence, the following order:

a) Delay of 29 days in filing the First Appeal challenging the judgment and decree dated 05/08/2014 passed by the Bombay City Civil Court, Mumbai in S.C.Suit No.2520/2013 is condoned.

b) Civil application stands disposed off accordingly.

JUDGE