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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.1741 OF 2016
IN
APPEAL (L.) NO.187 OF 2016
IN
COMPANY PETITION NO.328 OF 2011**

Kanyalal Rewachand Mirani ... Applicant/
Appellant

In the matter between

Kanyalal Rewachand Mirani ... Appellant

Versus

M/s. Trans-Fabpower India Pvt. Ltd. ... Respondent

Mr. Kunal Vaishnav a/w Mr. Suraj Iyer & Mr. Mahesh Mahale i/by
Ganesh & Co. for the Applicant/Appellant.

Mr. Govind Solanke i/by Mr. Pramod Patil for the Respondent.

**CORAM : A.S. OKA &
A.A. SAYED, JJ.**

DATE : 5th AUGUST, 2016

PC.

1 The learned counsel appearing for the Respondent seeks
time to file a reply.

2 This Notice of Motion is taken out for condonation of delay of 50 days in preferring Appeal against an order by which the Company Petition filed by the Applicant has been dismissed by the learned Single Judge. We have perused the affidavit in support of the Applicant and in particular paragraph 3 thereof. In our view, paragraph 3 of the affidavit in support makes out a case of existence of sufficient cause and hence, we decline to grant time to the Respondent. Accordingly, Notice of Motion is made absolute in terms of prayer clause (a). After the Appeal is numbered, the same shall be listed on the date fixed as per CMIS. Notice of Motion taken out for seeking permission to lead evidence shall be also listed with the Appeal.

(A.A. SAYED, J)

(A.S. OKA, J)