

VPH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL (L) No. 444 OF 2015
IN
NOTICE OF MOTION No. 1355 OF 2013
IN
SUIT No. 2959 OF 2005
WITH
NOTICE OF MOTION No. 1334 OF 2015

Mrs. Meena Akhtar Rizvi ... Appellants / Applicants
Vs.
Birendra Singh s/o Sardar
Mahal Singh & Ors. ... Respondents

Mr. Mahesh Mishra, for the Appellants / Applicants
Mr. D. A. Athavale, for Respondent No. 1.

CORAM : V. M. KANADE,
M. S. KARNIK, JJ.
DATE : MARCH 21, 2016

PC.

1. Leave to amend is granted. Liberty is granted to the parties to apply for fixed date of hearing.

2. It appears that though appeal is admitted, inadvertently, the delay which was caused in filing the appeal is not condoned. The delay of 83 caused in filing the appeal is therefore condoned for the

reasons stated in paragraph 8 of the affidavit in support of the motion.
Notice of Motion No. 1334/2015 is accordingly allowed and disposed
of in terms of prayer clause (a).

Sd/-
[M. S. KARNIK, J.]

Vinayak Halemath

Sd/-
[V. M. KANADE, J.]