

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****CIVIL APPLICATION NO.512/2014 IN SECOND APPEAL ST. NO.304/2012**

(The Nagpur Municipal Corporation and anr. ..vs.. Fulchand Nanhelal Jain)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. J. B. Kasat, Advocate for applicants.

Ms Jain, Advocate for non applicant.

CORAM : A. B. CHAUDHARI, J.

DATE : FEBRUARY 10, 2016

Heard learned counsel for the rival parties. Learned counsel for the non applicant opposed the application for condonation of delay on the ground that the application does not disclose the date-wise events about the time taken for getting approval nor it is supported by any documentary evidence. The delay is only of 81 days and I am satisfied that in the office of Corporation, the delay must have been caused due to the process for obtaining approvals.

It is true that there are no exact details of day to day account but then the delay is only of 81 days. Hence, subject to payment of cost of Rs.500/- payable to the learned counsel for the non applicant, the delay of 81 days is condoned. The amount of cost be paid within four weeks from today.

Civil Application No. 512/2014 is disposed of accordingly.

JUDGE