

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL (ST.) NO. 12566 OF 2015
WITH
CIVIL APPLICATION NO. 1041 OF 2016
IN
FIRST APPEAL (ST.) NO. 12566 OF 2015**

Vijay Sitaram Chavan ...Applicant

Versus

Vishwanath Sitaram Chavan & Ors. ...Respondents

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Mr.Joel J. Carlos for the Applicant.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: SEPTEMBER 20, 2017**

P.C. :

1. Learned counsel for the applicant submits that he has served respondent no.1, who is the main contesting party. However, none appears for respondent no.1, though served.

2. This application is moved for condonation of delay in filing the First Appeal.

3.` Learned counsel for the applicant submits that there is a delay of 76 days in filing the First Appeal. He further submits that the applicant did not have money to file the First Appeal and hence, there is a delay.

4. In view of uncontroverted submissions and the reason mentioned in paragraph no.4 of the application, delay is condoned. Civil Application is allowed.

5. First Appeal be registered. Place the First Appeal for admission on 14.11.2017.

(MRIDULA BHATKAR, J.)