

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1181 OF 2001
IN
FIRST APPEAL (STAMP) NO. 11584 OF 2001

Jehangir R. Irani .. Applicant/Appellant
vs.
Mrs. Zarina Rustom Irani & Ors. .. Respondents

Mr. Arshad Haindaday for Applicant / Appellant.
Mr. Vishal Kanade i/b. Mr. Raj Baid for Respondent Nos. 10, 12,
13 and 14 and heirs of Respondent Nos. 9 and 11.
Mr. R. R. Sharma with S. S. Das for Respondent Nos. 3, 5 and 6

CORAM : M. S. SONAK, J.
DATE : 14 MARCH 2017

P.C :

- 1] Heard learned counsel for the parties.
- 2] This civil application seeks condonation of delay of about 154 days in instituting the appeal.
- 3] The reasons for such delay have been explained in paragraphs 3 to 6. It is stated that the applicant / appellant's Advocate was abroad when the impugned judgment and decree was made. Thereafter, sometime was spent in seeking certain corrections in the impugned judgment and decree, for which motion for speaking to minutes was taken out. There was some time required for obtaining the decree. It is stated that the appellant was

under the *bona fide* impression that until all these matters are sorted out, no appeal can be instituted. Ultimately, the appeal has been instituted after a delay of about 154 days.

4] Sufficient cause has been shown and therefore, delay in institution of the appeal is hereby condoned. The civil application is disposed of.

(M. S. SONAK, J.)

Chandka