

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.675 OF 2016  
IN  
CIVIL REVISION application (ST.)NO.22512 OF 2016

|                                    |                                    |
|------------------------------------|------------------------------------|
| Shri Bhimrao A. Petkar             | .. Applicant<br>(Orig. Petitioner) |
| v/s.                               |                                    |
| Shri Vishwas A. Petkar<br>& Others | .. Respondents.                    |

Mr. S. R. Ghanwat, for the Applicant/Original Petitioner.  
Mr. Pratap Patil, for the Respondents.

**CORAM: M.S.SANKLECHA, J.**  
**DATE : 21<sup>st</sup> AUGUST, 2017.**

**P.C:-**

This application has been taken out for condonation of 466 days delay in filing this accompanying Civil Application from the order dated 28<sup>th</sup> January, 2015 passed by the Joint Civil Judge, Junior Division, Islampur in RCS No.745 of 2012. The reasons for the delay was that the Applicant prosecuted the remedy of an appeal before the District Judge, Islampur against the impugned order dated 28<sup>th</sup> January, 2015 and the same was dismissed on 16<sup>th</sup> July, 2016 on the ground that no appeal lies from an order dismissing application for rejection of the plaint under Order 7 Rule 11 (a)(d) of the Code of Civil Procedure.

2 I am satisfied with the reasons mentioned in the application. Accordingly, Application is allowed in terms of prayer clause (a).

**(M.S.SANKLECHA,J.)**