

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 822 OF 2017
IN
APPEAL FROM ORDER (St.) No. 26994 OF 2017

Lata Mangeshkar Medical Foundation ... Applicant

Vs.

Pune Municipal Corporation & Ors. ... Respondents

Mr. S.C. Wakankar, Advocate for the Applicant.

Mr. Abhijeet Kulkarni, Advocate for the Respondents.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 29th SEPTEMBER, 2017

P.C.:

This Application is moved for condonation of delay of 250 days in filing the Appeal from Order.

2. The learned counsel for the applicant submitted that this Appeal is directed against the order dated 23rd September, 2016 passed by the 4th Joint Civil Judge, Senior Division, Pune in Special Civil Suit No. 49 of 2016. The learned counsel submitted that earlier Miscellaneous Civil Appeal bearing No. 480 of 2016 challenging this order was filed before the District Judge, Pune considering the pecuniary jurisdiction. However, subsequently it was found that this Appeal lies before this Court. Hence, there was a delay in filing this

Appeal.

3. The learned counsel for the respondents/Corporation submitted that the suit is filed challenging the demand of recovery of arrears of property tax. An amount of nearly Rs.1,74,00,000/- is due and payable from the appellant, therefore, the appellant is to be directed to pay some amount.

4. Heard the submissions. This is an Application for condonation of delay. The reasons mentioned for delay is a sufficient cause. Hence, delay is condoned.

5. Civil Application is allowed and is disposed of accordingly.

6. Appeal from Order be numbered. Place the Appeal for admission on 3rd November, 2017. The learned counsel for the respondents waives service.

7. The parties are allowed to file compilation of documents.

(MRIDULA BHATKAR, J.)