

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 180 OF 2016
IN
CIVIL REVISION APPLICATION (ST.) NO. 23099 OF 2015

Jayantbhai Jaishankar Jani ... Applicant
Vs.
The Kanji Khetsey Charities & Ors. ... Respondents

Mr. Sugandh B. Deshmukh, Advocate for the applicant.
Ms. Seema Sarnaik a/w. Mr. Anil Ralkar, Advocate for respondent
nos. 1 to 6.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 1st August, 2017.

P.C.:

Civil Application is moved for condonation of delay of 24 days
in filing Civil Revision Application.

2. The learned counsel for the applicant has submitted that the
applicant took time to approach the counsel and to obtain the
certified copies. Hence, delay was caused.

3. The learned counsel for respondents has submitted that the
Civil Revision Application was filed after delay of 24 days, however,
without Application for delay condonation. The matter was taken

before the Registrar, as the objections were not removed and it was dismissed. Again, the matter was restored and thereafter the applicant filed the Application for condonation of delay separately after 5 months.

4. From the submissions of learned counsel and the documents, it shows that on 18th April, 2015, the Application Exhibit 37 was rejected and the said order is challenged in Civil Revision Application. Civil Revision Application was filed on 24th August, 2015. Thus, there is delay of 24 days. It appears that the Application for condonation of delay was not filed along with Civil Revision Application. It is apparently a mistake on the part of the advocate. Hence, delay is condoned. Civil Application is allowed.

5. Place Civil Revision Application for admission on 16th August, 2017.

(MRIDULA BHATKAR, J.)