IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.642 OF 2017
IN
APPEAL (LODGING) NO.44 OF 2017

Aarya Equit India Pvt. Ltd. : Applicant.

In the matter between

Aarya Equity India Pvt. Ltd. : Appellant.
Versus
Micro Capitals Pvt. Ltd. : Respondent.

Mr. Suresh Dubey for the Applicant/Appellant
Mr. Rahul P jain i/by Alpha Chambers for the Respondent.

CORAM : R. M. SAVANT &
SARANG V KOTWAL, JJ.
DATE : 13th October 2017

P.C.

1 The above Notice of Motion has been filed seeking condonation of delay of 23 days in filing the above Appeal. The reasons therefor are mentioned in the affidavit in support of the Notice of Motion.

2 The learned counsel appearing for the Respondent Shri Rahul P Jain opposes the above Notice of Motion on the ground that the order under challenge has been complied with and the advertisement has also been issued. The said aspect would undoubtedly be considered at the hearing of the above Appeal.

3 Having regard to the reasons mentioned in the affidavit in support of the Notice of Motion, a case for condonation of delay is made out. The above Notice of Motion is accordingly allowed and made absolute in terms of prayer clause (a). The learned counsel for the Appellant states that in so far as prayer clause (b) is concerned, the said prayer is not pressed for the present and that an appropriate application would be filed if the occasion so arises. The above Notice of Motion is accordingly disposed of.

[SARANG V KOTWAL, J] **[R.M.SAVANT, J]**