

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 1338 OF 2017
IN
APPEAL (L) NO. 257 OF 2017
IN
COMPANY PETITION NO.419 OF 2015**

Nasir Amin Hungund **..Applicant**
In the matter of

Nasir Amin Hungund **..Appellant**

Vs.

Glasspaane Aluminum (I) Pvt Ltd **..Respondent**

Mr. Nirman Sharma a/w Mr. R. P. Jain i/b Alpha Chambers for the Applicant

Mrs. Nupur Awasthi i/b M/s Consulta Juris for the Respondent

**CORAM :R. M. SAVANT, &
SARANG V KOTWAL, JJ
DATE : 5th OCTOBER, 2017**

P.C.

1 The above Notice of Motion has been filed seeking condonation of delay of 60 days in filing the above Appeal. The reasons therefor are mentioned in paragraphs 3 and 4 of the affidavit in support of the Notice of Motion. On behalf of the Respondent an affidavit in reply has been filed by its Director, one Mr. Pawankumar Jugalkishore Dhelia, in which affidavit the reasons mentioned in paragraph 3 have been questioned.

2 We have heard the Learned Counsel for the parties and have also

perused the reasons mentioned in paragraph 4. In our view, the said reasons constitute sufficient cause for condonation of delay of 60 days in filing the Appeal, hence discretion would have to be exercised in favour of the Applicant/Appellant. The above Notice of Motion is accordingly allowed and made absolute in terms of prayer clause (a). The Applicant / Appellant to pay costs of Rs.2000/- to be deposited with the Maharashtra Legal Aid Fund within 4 weeks from date. The above Notice of Motion is accordingly disposed of.

[SARANG V KOTWAL, J]

[R.M.SAVANT, J]