

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.626 OF 2018
IN
FIRST APPEAL NO.938 OF 2011**

Dadbhawala Co-operative Housing Society Ltd. ...Applicant

In the matter between
Municipal Corporation of Greater Mumbai ...Appellant

Versus

Sh. Krishnaswami K. Padiyadu ...Respondent

.....

Mr. Vishesh Kalra i/b. M/s. Vidhi Partners for the Applicant.

Mr. J.P. Thakkar for the Respondent.

Mrs. M.R. Bhoir for the BMC.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 28th FEBRUARY, 2018.

P.C.:-

By this application, the Applicant has sought restoration of application (st) No.4867 of 2017. The Applicant has also sought to condone the delay in filing the application.

2. Heard the learned counsels for the respective parties. Perused the averments made in paragraph 10 of the application. It is also seen that only office objection, which the Applicant had not

removed was as regards the service of the application on the Respondent. Admittedly the said service is now effected. Considering the said fact as well as the averments made in paragraph 10 of the application, delay in filing the application is condoned and the application stands restored to file. Same be registered accordingly.

3. Civil Application No.626 of 2018 stands disposed of.

(ANUJA PRABHUDESSAI, J.)