

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.594 OF 2018
IN
FIRST APPEAL ST. NO.28114 OF 2017

Minerals & Metal Trading
Corporation Ltd.

... Applicant

Vs.

Goldilock International Pvt. Ltd.

... Respondent

Mr.Prakash Ganwani with B.G. Saraf for the Applicant
Mr.R.M. Tiwari with Ms.Tabassum Dalvi i/b Jayesh Gawde for
Respondent

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: FEBRUARY 12, 2018

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This Civil Application is moved for condonation of delay of 212 days in filing the appeal. The learned Counsel for the applicant submits that the earlier Counsel representing Government of India had returned the brief and, therefore, the matter went unattended. Therefore, it took time for the applicant / Government of India to engage a new Counsel and obtain instructions and to collect documents and prepare the appeal.

3. The learned Counsel for the respondent/original plaintiff opposes the application.
4. In view of the submissions made by the learned Counsel and as the applicant / Government of India has shown the readiness to deposit the entire principal amount, the delay is condoned, however, on condition that the applicant/Government of India pays to the respondent costs of Rs.10,000/- (Rupees Ten thousand only). Appeal be registered and listed for admission after 10 weeks.
5. Civil Application is disposed of accordingly.
6. All concerned to act on an authenticated copy of this order.

(MRIDULA BHATKAR, J.)