

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.240 OF 2017
IN
CIVIL REVISION APPLICATION (STAMP) NO.13267 OF 2017

Swamirao Krishnatrao More .. Applicant

Versus

The Executive Engineer and Ors. .. Respondents

Mr.Prasad P. Kulkarni i/b Kalpesh U. Patil for the Applicant.

Mrs.Tanya Goswami, AGP for State.

CORAM : K.K. TATED, J.

DATE : 10 JANUARY 2019.

P.C:-

. Heard learned Counsel for the parties.

2. By this Civil Application, applicant is seeking condonation of 43 days delay in filing Civil Revision Application. Learned Counsel for the applicant submits that inadvertently it remain on their part to file Civil Revision Application within time. He submits that they have good chance of success in the present matter. If the delay is not condoned, irreparable loss will cause to them. He submits that this Court be pleased to condone the delay and matter may be heard on its own merits.

3. Learned AGP appearing on behalf of State vehemently opposed the present Civil Application. She submits that applicant has not shown sufficient cause for condonation of inordinate delay of 143 days. Hence, there is no substance in the present Civil Application and same is required to be dismissed with cost.

4. Considering the submissions made by the learned Counsel for the applicant and reasons disclosing in paragraph 3 of Civil Application, I am satisfied that applicant has made out case for allowing this Civil Application. Hence, following order :

a) Delay in filing Civil Civil Revision Application is condoned.

b) No order as to costs.

(K.K.TATED, J.)