

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1208 OF 2015
IN
FIRST APPEAL (ST) NO. 5781 OF 2015**

Benco Properties Private Limited Applicant.

Vs.

Simone Mascarenhas Respondent.

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Mr. Sarosh Bharucha a/w. Ms.Riddhi Dadia i/by. M. Mulla Associates
for the applicant.
None for the respondent.

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**CORAM : K.K.TATED, J.
DATED : AUGUST 19, 2019**

P.C.

Heard Learned Counsel Mr.Sarosh Bharucha for the
applicant.

2. By this Civil Application, applicant is seeking condonation of 82 days delay in filing the First Appeal challenging Judgment and Decree dated 08/10/2014 passed by the Learned Judge, City Civil Court at Bombay in S.C. Suit No.7218 of 2006.

3. The respondent are duly served. No one appeared on behalf of them when the matter called out.

4. Considering the submissions made by the Learned Counsel for the applicant and the averments made in the Civil Application, I satisfy that applicant has made out case for allowing the Civil Application with following order;

: ORDER :

- (a) Delay in filing the First Appeal is condoned.
- (b) Civil Application is disposed of accordingly.
- (c) No order as to costs.

(K.K.TATED, J.)