

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No. 471/2018
in
Appeal from Order No. (ST) 7094/2018

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. Deepak Chitnis a/w. Ms. Sonali Dalvi I/b.
M/s. Deepak Chitnis – Chiparikar & Co.
Mr. Pradeep Thorat I/b. S. K. Jain &
Associates for Respondent No.5

CORAM : K.K.TATED, J.
DATED : 18/03/2019

P.C.

1 Heard. The learned counsel for the Applicant submits that they have already served all the Respondents by hand delivery. He undertakes to file Affidavit of service to that effect on or before 22.03.2019. The undertaking is accepted.

2 By this Civil Application the Applicant - Plaintiff seeks condonation of 368 days delay in filing the Appeal from Order on the ground that the Applicant was not keeping well. To that effect he has placed on record a Doctor's Certificate dated 23.02.2018, Exhibit—A to the Civil Application.

3 Considering the submissions made by the learned counsel for the Applicant and the reasons disclosed in the Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

4 Hence, the following order is passed:

a. Civil Application is allowed in terms of prayer clause (a) which reads thus:

“(a) that the delay of 368 days in filing the above Appeal from Order be condoned and the above Appeal from Order be ordered and directed to be taken on the file and register.”

b. Civil Application stands disposed of accordingly.

c. Place the Appeal from Order for admission on 25.03.2019.

(K.K.TATED, J.)