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

**CIVIL APPLICATION NO. 633 OF 2016
IN
APPEAL FROM ORDER ST. NO.9166 OF 2016**

Atul Properties

Vs

Dilipkumar Dhalumal Kalwani & Ors.

..Appellant

..Respondents

Mr. R.M. Vasudeo for Applicant.

Mr. R.R. Sharma a/w Surya Das for respondent Nos.1 and 2 in CAA Nos.633/2016.

CORAM : A.S.GADKARI, J.

DATE : 15th November 2019.

PC.:

1] This is an application for condonation of delay of 94 days in filing the present Appeal from Order.

2] Learned counsel for the respondents vehemently opposed the application and submitted that, no proper explanation has been given by the applicant for condonation of delay. Learned counsel for the respondent No.1 vehemently opposed the application and submitted that, no satisfactory explanation has been given for condonation of delay.

3] However, in the interest of justice, I am inclined to condone the said delay subject to payment of cost of Rs.2500/- to be deposited in the High Court Legal Services Authority in their account namely "High Court Legal Aid Fund". The said amount be deposited within a period of two weeks from today.

4] Subject to payment of the said cost of Rs.2500/-, Application is allowed in terms of prayer clause (a). It is made clear that, payment of cost with the High Court Legal Services Authority is condition precedent for condonation of delay.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)