

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

**CIVIL APPLICATION NO. 3431 OF 2017
IN
FIRST APPEAL (ST.) NO. 7056 OF 2017.**

Raghunath Rama Bhuvad Applicant.

Vs.

Robert D'souza & Ors. Respondents.

.....
Mr. S. H. Mishra for the Applicant.
Mr. Bhushan Walimbe for Respondents

.....

**CORAM : K.K.TATED, J.
DATED : JULY 23, 2019**

P.C.

1 Heard Learned Counsel for the parties.

2. By this Civil Application, the Applicant/Original Plaintiff is seeking condonation of 64 days delay in filing the First Appeal challenging the Judgment and decree dated 30th November, 2016 passed by the bombay City Civil Court, Bombay in S. C. Suit No. 2598 of 2009.

3. Considering the submission made by the Learned Counsel for the Applicant and the averments made in Civil Application, I am satisfied that the Applicant has made out case for allowing this Civil application. Hence, the following order:

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

(K.K.TATED, J.)