

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

**CIVIL APPLICATION NO. 2613 OF 2017
IN
FIRST APPEAL (ST) NO. 9640 OF 2017**

Shri. Balihari Shivbachan Prajapati Applicant/Appellant

Versus

Municipal Corporation of Greater Respondents.
Bombay

Mr. U.R. Singh for the Applicant
Ms. Shital Mane for Respondents.

CORAM : K. K. TATED, J.

DATE : 18th SEPTEMBER, 2019

P.C.

Heard learned counsel for parties.

2. By this Civil Application, the applicant/original plaintiff is seeking condonation of 65 days delay in filing the First Appeal challenging the judgment and decree dated 21/12/2016 passed by City Civil Court, Bombay in L.C. Suit No. 1899 of 2008

3. Considering the submission made by the learned counsel for the applicant and averments made in Civil Application, I satisfied that the applicant has made out a case for allowing this Civil Application. Hence, the following order -

- (i) Delay in filing First Appeal is condoned.
- (ii) Civil Application stands disposed of accordingly.
- (iii) No order as to costs.

[K. K. TATED, J.]