

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1364 OF 2018

IN

SECOND APPEAL (ST) NO. 11706 OF 2017

Mr. Louis Anthony D'souza

.....Applicant

V/s.

Smt. Dagubai Fulchand Ostwal
(deceased) Shri. Nemichand F.
Oswal alias S.U. Parakh (deceased)
thru. Lrs.

....Respondents

* * * *

Mr. Rahul D. Motkari, Advocate for the appellant.

None for the respondents.

CORAM : SANDEEP K. SHINDE, J.

Wednesday, 20th March, 2019.

P.C. :

1. Heard learned Counsel for the applicant. Though respondents are served, they are not present.
2. It is an application for condonation of 15 days delay caused in preferring the Second Appeal against the decree passed in Regular Civil Appeal No.570 of 2012. That

for the reasons stated in paragraphs-9 and 10, that the applicant was under the bonafide impression that the period of limitation for filing separate appeal starts from the date of receipt of certified copies, the delay is condoned. Besides, the delay of 15 days needs to be condoned in the interest of justice.

3. The application is allowed in terms of prayer clause (a). Civil Application is disposed of in aforesaid terms.

(SANDEEP K. SHINDE, J)