

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

CIVIL APPLICATION NO.3735 OF 2017  
IN  
FIRST APPEAL (ST.) NO.12333 OF 2017

|                                                                                                           |                                                                                      |
|-----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders.                                                           |
|                                                                                                           | Mr.Kunal V. Phoole for the applicant<br>Ms.Bhavika Mardhekar for the respondent no.1 |

**CORAM: K.K.TATED, J.  
DATED : OCTOBER 4, 2019**

**P.C.**

1 Heard.

2 By this Civil Application , Applicant original defendant no.1 is seeking condonation of 50 days delay in filing First Appeal challenging the judgment and decree 23.1.2017 passed by Bombay City Civil Court at Mumbai in S.C.Suit No.7205 of 2006.

3 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application. Hence, following order is passed:

a. Delay in filing First Appeal is

condoned.

b. The Civil Application stands disposed of accordingly. No order as to costs.

**(K.K.TATED, J.)**