

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2495 OF 2018
IN
FIRST APPEAL (ST) NO.12493 OF 2018**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. A.Anand I/b H.S. Anand for applicant.
Mr. Shaunak Gokhale I/b M/s. Chitnis Vaithy and Co. for respondent.

**CORAM : K. K. TATED, J
DATE : MARCH 19, 2019**

P.C.:

. Heard learned Counsel for the applicant.

2. By this Civil Application, applicant/original plaintiff is seeking condonation of 46 days delay in filing First Appeal.

3. On the other hand, the learned Counsel appearing on behalf of respondent/original defendant vehemently

opposed the present Civil Application. He submits that applicant has not shown sufficient cause for condonation of inordinate delay of 46 days. Hence, there is no question of allowing this Civil Application and same to be dismissed with cost.

4. Considering the submissions made by learned Counsel for applicant, averments made in Civil Application, I am satisfied that the applicant has made out case for allowing this Civil Application. Hence, following order :-

- a) Delay in filing First Appeal is condoned.
- b) Civil Application stands disposed of accordingly.
- c) No order as to costs.

(K.K.TATED, J.)