

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL JURISDICTION
CIVIL APPLICATION NO. 2156 OF 2018
IN
FIRST APPEAL (ST) NO. 32327 OF 2017
WITH
REJECTED CLAIM NO. 510 OF 2018

Shabana Afsar Siddiqui

.. Applicant

Versus

The Maharashtra Housing
Area Development Authority

.. Respondent

...

Ms. Seeta Yadav I/b. Khan Altaf for the Applicant.

CORAM: BHARATI DANGRE, J.

DATED : 30th AUGUST, 2019.

P.C:-

1. Civil Application No. 2156/2018 is seeking restoration of First Appeal No. 32327/2017 and it also prays for condonation of delay occurred in filing of the said application, which came to be dismissed on 23rd February, 2018 for non removal of office objection.

2. With the assistance of the learned counsel for the

applicant, I have perused the said application. The applicant has stated the reason of her health and this has been stated to be the ground for her not approaching the counsel, after she was made aware of the dismissal of the matter in default. It is urged in the application that the applicant has good case on merit therefore, some indulgence be granted by condoning the delay of 62 days and thereby restoring the First Appeal.

3. On perusal of the application and on hearing learned counsel for the applicant, I am satisfied that good cause has been shown to condone the delay seeking restoration of the First Appeal, which came to be dismissed in default on 23rd February, 2018. Hence, Civil Application No. 2156/2018 is allowed in terms of prayer clause (a) and (b). The applicant is also directed to remove all the notified office objections before returnable date. Registry is directed to register the First Appeal and upon registration of the same, issue notice to the respondent, returnable after 6 weeks.

SMT. BHARATI DANGRE, J.