

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

**CIVIL APPLICATION NO.463 OF 2018
IN
FIRST APPEAL (ST.) NO.15859 OF 2017**

The Municipal Corporation of Greater
Mumbai

And Another

... Applicants

Versus

M/s Jaideep Exhibitors & Hotels
Pvt. Ltd.

... Respondent

.....
Mrs. Sheetal Mane for the Applicants.

.....

CORAM : K. K. TATED, J.

DATE : 29 JULY 2019

P. C. :

. By this Civil Application, the Applicant-corporation is seeking condonation of delay of 46 days in filing the First Appeal challenging the judgment dated 5 February 2016, passed by the Small Causes Court in Municipal Appeal No.107 of 2009.

2 The Respondent is duly served. No one appeared on behalf of the Respondent when called out.

3 Considering the submissions made by learned Counsel for the Applicants and averments in the civil application, I am

satisfied that the Applicant has made out a case for allowing the civil application. Hence, following order.

: O R D E R :

- i) The delay in filing the First Appeal is condoned ;
- ii) Civil Application is allowed;
- iii) No order as to costs.

(K. K. TATED, J.)