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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO. 219 OF 2018****IN****APPEAL FROM ORDER (ST) NO. 17128 OF 2017**

The Municipal Corporation of Greater MumbaiApplicants
thr. Municipal Commissioner and another

V/s.

HTRA Thr. Sec. Premchand BalkrishnaRespondents
and another

Mrs. Madhuri More for BMC
None for Respondents

CORAM : K. K. TATED, J.**DATE : MARCH 15, 2019.****P.C.**

Heard the learned counsel for the applicant. Though the respondent is duly served, no one appeared when the matter is called out.

2 By this Civil Application, applicant is seeking condonation of

87 days delay in filing Appeal from Order challenging the order dated 10/02/2017 passed by City Civil Court, Mumbai in Draft Notice of Motion in L. C. Suit Stamp No. 1579 of 2017.

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

- (I) Delay of 87 days in filing Appeal from Order is condoned.
- (II) Civil Application stands disposed of.
- (III) No order as to costs.

[K. K. TATED, J.]