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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.36 OF 2017
IN
SECOND APPEAL (STAMP) NO.20462 OF 2016

Diamond Park CHS Ltd.	...Applicant
V/s.	
Cantonment Board, Deolali & Ors.	...Respondents

Mr.Vaibhav A. Sugdare i/b M/s.L.D.Shah & Company for the
Applicant / Appellant.

Mr.Pratik B. Ranade for the Respondent Nos.2 and 3.

CORAM : R.D. DHANUKA, J.
DATE : 4TH SEPTEMBER, 2019.

P.C. :-

1. By this civil application, the applicant seeks condonation of delay of 284 days in filing the second appeal. The application for condonation of delay is opposed by the respondent nos.2 and 3 on the ground that the delay is not sufficiently explained.

2. Heard the learned counsel appearing for the applicant and the respondent nos.2 and 3 and have perused the averments made in the affidavit in support of the civil application and the affidavit in reply filed by the respondent nos.2 and 3. In paragraph nos.13 to 15 of the civil application, the applicant has explained the delay in filing the second appeal. For the reasons recorded in those paragraphs of the civil application, the civil application is made absolute in terms of prayer clause (b). There is no substance in the objection raised by

the respondent nos.2 and 3 in the affidavit in reply.

3. The applicant is directed to pay costs of Rs.5,000/- to the Kirtikar Law Library within two weeks from today. The receipt of payment of costs shall be produced before the Sheristedar of this Court within one week from the date of payment of such costs.

4. If all the office objections are already removed in the second appeal, place the second appeal on board for admission as per C.M.I.S. date.

(R.D. DHANUKA, J.)