

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3614 OF 2017

(Delay Condonation)

IN

FIRST APPEAL (ST) NO. 19356 OF 2017

The International Airport Authority of India ...Applicant

Versus

Orbit Electronics ...Respondent

Ms. Martina Sapkal, I/b Mr. Arun Sapkal & Co. for the
Applicant.

Mrs. Hasmita D. Kapadia, I/b Ms. Kalyani G. Parmar, for the
Respondent.

CORAM: N. J. JAMADAR, J.

DATED: 12th March, 2019

PC:-

1. Heard, Ms. Sapkal, the learned Counsel for the Applicant and Mrs. Kapadia, the learned Counsel for the Respondent.

2. This is an application for condonation of delay of three days in filing appeal against the decree passed by the learned Ad-hoc District Judge, City Civil and Sessions Court, Grater Bombay, on 5th May, 2017, in Suit No. 189 of 1987 in H.C. Suit No.3396 of 1987.

3. The reason assigned for the delay is inadvertent miscalculation in computation of the period of limitation for filing the appeal.

4. The delay is only of three days. The reason assigned for the delay appears to be justifiable. Even otherwise, the Court is expected to lean in favour of condonation of delay so as to advance cause of the substantial justice.

Hence, the following order:

- (i) The Application stands allowed in terms of prayer Clause (a).
- (ii) The delay in filing the appeal stands condoned.
- (iii) The appeal be registered.

[N. J. JAMADAR, J.]