

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

**CIVIL APPLICATION NO.3611 OF 2018
IN
FIRST APPEAL (STAMP) NO.21209 OF 2018**

Javed Ahmed Mohammed Tauhid
Shaikh

...Applicant

Versus

Gulam Reza Ajdari

...Respondent

.....

Mr. Ameya Tamhane for the Applicant.

Mr. Javen A. Khan for the Respondent.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 7th FEBRUARY, 2019.

P.C.:-

By this application, the Applicant has sought to condone the delay of 354 days in filing the appeal against the judgment and decree dated 20th June, 2016 passed by the Judge, City Civil Court, Bombay in Summary Suit No.3884 of 2011.

2. The reasons stated in paragraph 6 to 8 indicate that the Applicant had not filed the appeal within time due to family dispute, financial constraints as well as non availability of counsel during vacation period and his own sickness.

3. Considering the above reasons, delay is condoned. The appeal be registered subject to payment of 25,000/-, to be deposited in the Court within a period of two weeks.
4. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)