

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 2443 OF 2017

IN

FIRST APPEAL (ST) No. 15767 OF 2017

Vanita Vasant Warang

...Applicant

Vs.

The Municipal Corporation
of Greater Bombay

...Respondent

Mr. Shrinath Dubey for the Applicant

Ms. Sheetal Mane for MCGM

CORAM: K.K. TATED, J.

DATED : JUNE 14, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this civil application, the Applicant -Original Plaintiff is seeking condonation of 5 days' delay in filing the First Appeal challenging the judgment and decree dated 20th April, 2017 passed by the Bombay City Civil Court at Bombay in L.C. Suit No. 95 of 2013 dismissing the Plaintiff's suit for declaration that the notice dated 9th April, 2012 issued by the Defendant Corporation under Section 354 A of the Bombay Municipal Corporation Act and the order dated 20th April, 2012 is null and void and also the notice dated 19th November, 2012 issued under Section 488 of the MMC Act is null and void.
3. Considering the submissions made by the learned counsel for the Applicant and the averments made in the civil application, I am satisfied that the Applicant has made out a case for allowing this civil

application.

4. Hence, following order:

- (a) Delay in filing the First Appeal is condoned.
- (b) Civil Application stands disposed of accordingly.
- (c) No order as to costs.

(K. K. TATED, J.)