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FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4055 OF 2015 IN
FIRST APPEAL ST.NO.7973 OF 2015

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Siddhesh Bhole a/w Ms K.Sawant I/b Haresh
Jagtiani & Associates for the Appellant Applicant
Mr.S.B.Prabhavalkar for the Respondent.

CORAM :K.K.TATED,J.

DATE : SEPTEMBER 5, 2019

P.C.:

1 Heard learned Counsel for the
Applicant.

2 By this Civil Application,
Applicant original plaintiff is
seeking condonation of 54 days delay
in filing First Appeal challenging the
Judgment and Decree dated 10.12.2014
passed by the City Civil Court at
Dindoshi, Mumbai,in S.C.Suit No.1551
of 2008.

3 The learned counsel for the
respondent filed their reply to oppose
the Civil Application. He submits that

the applicant failed to disclose sufficient cause for condonation of delay. Hence, there is no substance in the Civil Application and the same should be dismissed.

4 I have heard both the parties at length. Considering the submissions made by the learned Counsel for the applicant and averments made in Civil Application as well as decision of the Apex Court in the case of Ramchandra N. Balkrishnan Vs. M. Krishnanmurthy (1998) 7 SCC 123, I am satisfied that Applicant has made out a case for allowing the Civil Application.

5 Hence, the following order is passed:

a) Delay in filing First Appeal, is condoned.

b) Civil Application stands disposed of accordingly. No order as to costs.

(K.K.TATED,J.)