

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

**CIVIL APPLICATION NO. 3252 OF 2015
IN
FIRST APPEAL (ST.) NO. 26090 OF 2015**

Bernard Victor Kinny

..... Applicant.

Vs.

The Municipal Corporation of Greater Mumbai & Anr.

..... Respondents.

Pinky Bhansali for the Applicant.
Shital Mane for Respondent No. 1.

.....

.....

**CORAM : K.K.TATED, J.
DATED : SEPTEMBER 17, 2019**

P.C.

- 1 Heard Learned Counsel for the parties.
2. Though Respondent No.2 is duly served, no one appeared on behalf of him when the matter is called out.
3. By this Civil Application, the Applicant/Original Plaintiff is seeking condonation of 11 days delay in filing the First Appeal challenging the Judgment and decree dated 29/07/2015 passed by the Bombay City Civil Court at Dindoshi, Bombay in L.C.Suit No. 5307/2006.
4. Considering the submission made by the Applicant and the averments made in Civil Application, I am satisfied that the Applicant has made out a case for allowing this Civil Application. Hence, the 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.)