

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

**CIVIL APPLICATION NO.1827 OF 2015
IN
FIRST APPEAL (ST.)NO.26244 OF 2014**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Poonam Mittal for the applicant

Mr.Avinash N. Naikwadi h/f Mr.Parkar for the respondent nos.1 and 2

**CORAM : K. K. TATED, J
DATE : MARCH 12, 2019**

P.C.:

1 Heard.

2 Office note shows that notice issued to respondent no.1 returned unserved and the matter stands dismissed. Office note further shows that as per Registrar's order dated 27.09.2017, Civil Application stands dismissed against these respondents.

3 By this Civil Application, applicant is seeking condonation of 160 days delay in filing

First Appeal challenging the judgment dated 16.09.2013 passed by MACT, Mumbai in MACP No.790 of 2004.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

- a. Delay in filing First Appeal is condoned.
- b. Registry is directed to show First Appeal as dismissed for want of prosecution against defendant no.3 Kaiash K.Yadav.
- c. Civil application stands disposed off accordingly.

(K.K. TATED, J.)