

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4184 OF 2012
IN
FIRST APPEAL ST. NO. 28447 OF 2012

Mr.Pankaj Balaram Mhatre ...Applicant

Versus

Ramdas Sitaram Mhatre & Anr. ...Respondents

.....
Ms.Sushma Poyekar for the Applicant.
M/s. Res Juris for Respondent No.2.

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CORAM: V.G.BISHT, J.
DATE: 9TH DECEMBER, 2019

PC:-

1. Heard the learned Counsel appearing for the applicant.
2. This is an application seeking condonation of delay of 76 days in preferring an Appeal against the judgment and order dated 22nd March, 2012 passed by learned Member, M.A.C.T., Thane in M.A.C.P No. 869 of 2008.
3. The reason for delay given in the application is that, because of want of requisite Court fees, the applicant could

not prefer the First Appeal in time. Moreover, the applicant is a disabled and has no source of income.

4. The reasons given by the applicant appear to be satisfactory. Moreover, the contentions are not assailed by the respondents. No prejudice will be caused to the respondents if delay is condoned and the matter is decided on merits.

5. In view of above, Civil Application is allowed. The delay of 76 days in preferring the First Appeal is condoned.

6. Place this First Appeal for admission in the second week of January, 2020.

(V.G.BISHT,J.)