

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

**CIVIL APPLICATION NO. 850 OF 2018
IN
FIRST APPEAL (ST) NO. 27735 OF 2017**

Smt. Ashalata Jagannath Waghmode Applicant

V/s.

Shri Nitin Sakharam Waghmode & Ors. Respondents

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Mr. Kamlesh P. Mali for Applicant.

Miss. R.C. Nichani for Respondents.

CORAM : K.K.Tated, J.

DATE : 9th September, 2019

P.C. :

1. Heard Learned Counsel for the parties.
2. Though the Respondents are duly served no one appeared on behalf of them, when the matter was called out.
3. By this Civil Application, Appellant/Original Plaintiff is seeking condonation of 281 days delay in filing the First Appeal challenging the Judgment and Decree dated 19/11/2016 passed by Bombay City Civil Court in S.C. Suit No. 7884 of 1998.
4. Considering the submissions made by the Learned Counsel for the Applicant and averments made in Civil Application,

I satisfy that, applicant has made out case for allowing this Civil Application. Hence, following order is passed :

- a) Delay in filing First Appeal is condone.
- b) Civil Application stands disposed off accordingly.
- c) No order as to costs.

(K.K.Tated, J.)