

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

**CIVIL APPLICATION NO.4021 OF 2018
WITH
CIVIL APPLICATION NO.4022 OF 2018
IN
FIRST APPEAL (STAMP) NO.27177 OF 2018
WITH
FIRST APPEAL (STAMP) NO.27177 OF 2018**

Namdeo Govardhan Gaurya @ Vaity
deleted since deceased.

1. Vinod Namdeo Vaity and Anr.

...Applicants/Appellants

Versus

The Municipal Corporation of
Greater Mumbai and Ors.

...Respondents

.....

Mr. Mohan B. Jadhav for the Applicants.

Mr. Sunil Trivedi i/b. M/s. Ashoka Law Firm for the Respondent No.2.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 7th MARCH, 2019.

P.C.:-

None present for the Respondent Nos.1 and 3 though duly served. Mr. Sunil Trivedi, the learned counsel waives service of notice on behalf of the Respondent No.2.

2. By this application, the Applicant has sought to condone the delay of 10 days in challenging the judgment and decree dated 26/7/2018 passed by the learned Judge, City Civil Court, Dindoshi, in

L.C. Suit No.400 of 2010. Having considered the submissions advanced by the learned counsel for the Applicant and the Respondent No.2, and on perusal of the reasons stated in paragraph 2 of the application, which in my considered view constitute sufficient grounds, delay is condoned. Appeal be registered.

3. Appeal be listed for admission on **2.4.2019**. Ad-interim relief, if any, to continue till the next date of hearing.

(SMT. ANUJA PRABHUDESSAI, J.)