

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 233 OF 2019

IN

SECOND APPEAL (ST) NO. 28068 OF 2018

Sou. Parvinbano Najirahemad Shaikh	Applicant
V/s.	
M. Kasim Nabisaheb Bepari	Respondent

* * * *

Mr. P.G. Sarda, Advocate for the applicant.

Mr. M.S. Mulla, Advocate for the respondent.

CORAM : SANDEEP K. SHINDE, J.

Thursday, 28th February, 2019.

P.C. :

1. It is an application for condonation of delay of 151 days delay caused in filing the present Second Appeal.
2. The application is opposed by the respondent. He has filed affidavit-in-reply. It is taken on record.
3. The Appeal is preferred by the plaintiff whose suit for specific performance was decreed. However, in the

Regular Civil Appeal No. 277 of 2014, the decree was reversed by the Appellate Court and hence this Appeal.

4. That for the reasons stated in the application, the delay is condoned subject to costs of Rs.7,000/- which the applicant shall pay to the respondent within two weeks from today. Subject to this, the Civil Application is allowed in terms of prayer clause (a).

5. The applicant shall produce receipt of payment of costs before the Registrar and thereafter the Appeal shall be registered and be listed for admission as per its turn.

6. In the aforesaid terms, the Civil Application is disposed of.

(SANDEEP K. SHINDE, J)