

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2123/2016
IN
FIRST APPEAL (ST)NO.30715/2015

MCGM Applicant.
Vs.
Vidyavatidevi R. Sahani ... Respondent.

Advocate Mrs. Sheetal Mane for applicant.
Advocate Mr. Bholaprasad S. Shukla for respondent no.1.

CORAM : K.K.TATED, J.
DATED : JULY 3, 2019.

P.C.

Heard learned counsel for parties.

2. By this civil application, applicant/Corporation is seeking condonation of 304 days delay in filing first appeal, challenging judgment and decree dated 13.11.2014 passed by Bombay City Civil Court at Dindoshi, in Suit no.1136/2011.

3. Learned counsel for respondent vehemently opposed the civil application. He submits that applicant has not shown sufficient cause for condonation of inordinate delay in filing first appeal.

4. Considering the submissions made by learned counsel for applicant and the averments made in civil application, I am satisfied that applicant has made out a case for following order but at the same time they have to pay cost to respondent/plaintiff.

a) Delay in filing first appeal is condoned.

b) Applicant to pay cost of Rs.2,500/- to the respondent or their advocate on or before 31.8.2019 and placed on record receipt to that effect in Registry failing which, the civil application shall stand dismissed without reference to court.

c) Civil application is disposed of.

(K.K.TATED, J.)

