

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 107 OF 2018
IN
FIRST APPEAL STAMP NO. 31747 OF 2017

Sudhir Kacharu Jadhav	.. Applicant
Vs.	
The Maharashtra Housing Area Development Authority	.. Respondent

Ms.Seeta Yadav I/b Mr.Khan Altaf, for the Applicant.

CORAM : K.K.TATED, J.

DATE : 20th AUGUST, 2019

P.C. :

. Heard learned Counsel for the applicant.

2. Though respondent is duly served, no one appeared
on their behalf when the matter was called out.

4. By this Civil Application, applicant is seeking
condonation of 117 days delay in filing First Appeal challenging

judgment and decree dated 15/06/2017 passed by City Civil Court at Dindoshi (Borivali Division), Goregaon, Mumbai in S.C.Suit No. 902 of 2013 dismissing the applicant's/plaintiff's Suit for declaration that the notice dated 05/02/2013 under Section 95-A(3) issued by defendant in respect of suit premises and order dated 01/03/2013, are illegal.

5. Considering the submissions made by learned Counsel for the applicant and averments made in Civil Application, I am satisfied that applicant has made out a case for allowing Civil Application. Hence following order.

ORDER

- i) Delay in filing the First Appeal is condoned.
- ii) Civil Application is disposed of accordingly.
- iii) No order as to costs.

(K.K.TATED, J.)