

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.211 OF 2017
IN
APPEAL FROM ORDER (ST) NO.35244 OF 2016**

Mr. Ramesh Jagannath Aggarwal and Ors. .. Applicants

Versus

Surendra S/o. Jagannath Aggrawal

and Anr. .. Respondents

Mr. Sushil Upadhyay I/b R.M. Saraogi for applicant.

CORAM : K.K. TATED, J.

DATE : 11 MARCH 2019.

P.C:-

. Heard learned Counsel for the applicant.

2. Though the respondents are duly served no one appeared on behalf of them when the matter called out.

3. By this civil application, applicants/original defendant Nos. 2 to 10 are seeking condonation of 23 days delay in filing Appeal from Order. Considering the submissions made by learned Counsel for the applicant and averments made in civil application, I am satisfied that the applicant has made out case for allowing this civil application. Hence, following order :-

- a) Delay in filing Appeal from Order is condoned.
- b) Civil application stands disposed of accordingly.
- c) No order as to costs.

(K.K. TATED, J.)