

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

CIVIL APPLICATION NO.354 OF 2019

IN

APPEAL FROM ORDER (ST) NO.31112 OF 2018

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms.Rajani Iyer Sr.Counsel a/w Mr.Prashant Chawan and Mr.Navdeep Vora i/b M/s.Navdeep Vora and Associates for the applicants

**CORAM : K. K. TATED, J
DATE : APRIL 23, 2019**

P.C.:

. Heard.

2 The learned Senior counsel for the Applicant submits that they have already served all Respondents by private notice. She submits that Advocate on record undertakes to file affidavit of service within one week from today. Statement is accepted.

3 By this Civil Application, Applicant is seeking condonation of 418 days delay in filing Appeal from Order challenging the order dated 21.7.2017 passed by City Civil Court, Dindoshi,

Mumbai in Chamber Summons No.865 of 2017 in Suit No.1229 of 2017.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

5 Hence, the following order:

A) Civil Application is allowed in terms of prayer clause (a) which reads thus:

"(a) the delay of 418 days in filing the above Appeal from Order against the Judgment and Order dated 21/07/2017 passed by Learned Judge, City Civil Court, Dindoshi, Mumbai in Chamber Summons No.865 of 2017 in Suit No.1229 of 2017, be condoned and the above Appeal be heard on merits."

B) Applicant to file affidavit of service within one week from today, failing which the Civil Application shall stand dismissed without further reference to the court.

C) Civil application stands disposed off accordingly.

D) No order as to costs.

(K.K.TATED, J.)