

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

**CIVIL APPLICATION NO. 2194 OF 2017
IN
FIRST APPEAL (ST) NO. 35383 OF 2016**

M/s. Evergreen Developers **... Applicant**

V/s.

Tukaram @ Tushar Jagannath Sawant
(Deleted since Deceased)
Nagesh Tukaram Sawant **... Respondent**

Mr. Bhushan Deshmukh for the Applicant.
Mr. Rajesh Dixit I/b U.R. Tripathi for the Respondent No.1.

**CORAM :PUSHPA V. GANEDIWALA, JJ.
DATE : 06TH MARCH, 2019**

P.C.:

1. Heard learned Counsel on behalf of both the parties.
2. For the reasons mentioned in the application and the submissions made by the learned Counsel, the delay of 33 days in preferring Appeal against the order dated 10.10.2016 passed by the City Civil Court, Greater Bombay, is condoned subject to costs of Rs.5,000/- to the Respondent.
3. Civil Application is disposed of.
4. First appeal be placed for hearing on admission on 03.04.2019.

(PUSHPA V. GANEDIWALA, J.)