

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION***

NOTICE OF MOTION NO. 347 OF 2018

in

COMMERCIAL APPEAL NO. 2 OF 2018

in

NOTICE OF MOTION NO. 347 OF 2018

in

SUMMARY SUIT NO. 1014 OF 2005

The BEST Undertaking

... Applicant/Appellant.

V/s.

Uttar Pradesh Co-operative Spinning
Mills Federation Ltd. And Ors.

... Respondents.

Mr. Vishal Talsania a/w. Ms. Radha Bhandari I/b. M.V. Kini & Co.
for the Applicant/Appellant.

Miss. Jaishree Surati I/b. S. Ashwini Kumar & Co. for the
Respondents 1 and 2.

***CORAM : PRADEEP NANDRAJOG, C.J. &
N.M. JAMDAR, J.***

DATE : 9 APRIL 2019.

P.C. :-

There is a delay of 41 days in filing the Appeal. In the
Notice of Motion it is pleaded that certified copy of the impugned

judgment dated 8.11.2017 was applied for on 15.11.2017 and was received on 27.11.2017. Matter was processed in the department requiring the file to be sent to the commercial department. Decision was taken to scrutinize the documents. On 2.12.2017 Counsel was directed to file the Appeal. Counsel prepared the draft memo and sent the same to the legal department on 29.12.2017. The Appeal was filed on 2.1.2018.

2. We find sufficient cause pleaded. Delay of 41 days in filing the Appeal is condoned. The Notice of Motion is allowed.

N.M. JAMDAR, J.

CHIEF JUSTICE