

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

**NOTICE OF MOTION NO.597 of 2019
IN
APPEAL (L) NO.316 OF 2019**

Jitendra Maneklal Shah & Anr. Applicants

IN THE MATTER BETWEEN :-

Jitendra Maneklal Shah & Anr. Appellants

versus

Shraddha Bhavesh Sanghrajka & Ors. Respondents

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- Mr.Karl Tamboly Counsel a/w Mr.Vishal Thaker, Ms.Anjali Trivedi, Ms.Priyanka Patel & Ms.Nandita Shah i/b. V. Thakers' Advocate for Appellants.
- Mr.Ashishchandra Rao i/b. Roshan Tanna, Advocate for Respondent Nos.1 and 2.

**CORAM : K. K. TATED &
SARANG V. KOTWAL, JJ.
DATE : 16th JANUARY, 2020.**

P.C. :

1. Pursuant to the praecipe dated 15/01/2020 filed by the learned Counsel for the Appellants, the matter is taken on production board.

2. Heard learned Counsel for the parties.
3. By this Notice of Motion the Applicant is seeking condonation of 266 days delay in filing the Appeal challenging order passed by the learned Single Judge.
4. Learned Counsel Mr.Ashishchandra Rao appearing on behalf of Respondent Nos.1 and 2 submitted that they are served with copy of Notice of Motion recently. He submitted that he requires some time to file affidavit in reply with a copy to the other side to oppose the present motion.
5. Learned Counsel for Appellant submits that he does not require time to file rejoinder. Statement is accepted.
6. Considering this fact, following order is passed;
 - (a) Respondent Nos.1 and 2 to file affidavit in reply, if any, on or before 27/01/2020 with a copy to the other side.

- (b) Appellant to remove office objections on or before 04/02/2020, failing which the Appeal shall stand dismissed without referring back to the Court.
- (c) Stand over to 10/02/2020.

(SARANG V. KOTWAL, J.)

(K.K.TATED, J.)