

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 3010 OF 2018
IN
FIRST APPEAL (ST) NO. 6265 OF 2018

Abdul Khalid Abdul Kadar Chataiwala ...Appellant
Versus
JWC Logistics Part Private Limited & Ors ...Respondents

WITH
INTERIM APPLICATION NO. 2896 OF 2020
IN
FIRST APPEAL (ST) NO. 6265 OF 2018

Abdul Khalid Abdul Kadar Chataiwala ...Applicant
In the matter between
Abdul Khalid Abdul Kadar Chataiwala ...Appellant
Versus
JWC Logistics Part Private Limited & Ors ...Respondents

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None for the Appellant/Applicant.
Mr Girish Utangale, with Saurabh Utangale, i/b utangale & Co, for
Respondents Nos. 1 and 2.

CORAM G.S. Patel &
Madhav J. Jamdar, JJ.
DATED: 10th December 2021

PC:-

CIVIL APPLICATION NO. 3010 OF 2018:

1. The Civil Application No. 3010 of 2018 is for condonation of delay of 127 days. It is most vigorously and most strenuously opposed on the ground that there is no justification or explanation for the delay.
2. We disagree.
3. The Civil Application has sufficient reasons. The application is thus allowed.
4. There is now a prayer for costs by Respondent No. 1, a private limited company and of which Respondent No. 2 is a director. The application for costs is rejected.

CIVIL APPLICATION NO. 2896 OF 2018:

5. This is an application for leave to serve Respondents Nos. 3 and 4 by substituted service by publication in two local newspaper. The application is allowed. Service is permitted by publication in two newspapers, at least one of which must be in the vernacular and circulated in the region where Respondents Nos. 3 and 4 reside. An Affidavit proving publication is necessary.

6. All concerned will act on production of a digitally signed copy of this order.

(Madhav J. Jamdar, J)

(G. S. Patel, J)