

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****I.A. NO. 3111 OF 2021****IN****REJECTED CASE NO. 1448 OF 2019**

Nazimuddin M. Sayyed,
Through POA Lakshmmi N.M. SayeedApplicant.

Vs.

Yeshwant T. Kharat
(Since Deceased) Through LRS & Ors.Respondents.

Mr. G.S. Gorwadkar for the Applicant.

CORAM : A. S. GADKARI, J.
DATE : 27th OCTOBER, 2021.

P.C.:-

This is an Application for restoration of Civil Revision Application (Stamp) No. 5979 of 2019 which was dismissed for non-compliance of Order dated 20th June, 2019 passed by the Registrar (Judicial-II).

There is a delay of 488 days in filing the present Application.

2 Perusal of Application would indicate that, the Applicant has made out sufficient cause for condonation of delay. However taking into consideration the inordinate delay in filing the present Application, this Court is of the view that, the said delay can be condoned subject to payment of costs of Rs.2,500/-.

3 In view thereof and in the interest of justice, the delay is condoned subject to condition that, the Applicant shall pay costs of Rs.2,500/- to the High Court Legal Services Committee, Mumbai within a period of four weeks from today.

The Applicant to pay/deposit the costs in the account namely “High Court Legal Aid Fund”, Account No.60045304283, IFSC-MAHB0000002 of the Bank of Maharashtra, Branch-Fort, Mumbai-400032, maintained by the High Court Legal Services Committee, Mumbai, Room No. 105, 1st Floor, PWD Building, High Court, Mumbai and to furnish the details of such costs to the High Court Legal Services Committee, Mumbai and obtain the receipt thereof physically or through Email i.e. hclsc.mumbai@gmail.com which shall be the proof of such payment/deposit.

4 It is made clear that, payment of cost is a condition precedent for condonation of delay and to set aside Order dated 20th June, 2019 passed by the Registrar (Judicial-II).

Subject to payment of costs, Application is allowed in terms of prayer clauses (a) and (b).

5 Applicant is directed to remove office objections within a period of three weeks from the date of payment of the costs to the concerned Authority.

(A.S. GADKARI, J.)