

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

**CIVIL APPLICATION NO. 157 OF 2012
IN
FIRST APPEAL (ST.) NO. 33002 OF 2011
WITH
CIVIL APPLICATION NO. 158 OF 2012
IN
FIRST APPEAL (ST.) NO. 33002 OF 2011**

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The Municipal Corporation of
Greater Mumbai

... Applicants/Appellant

Vs.

M/s Swift Chemicals Pvt. Ltd.

... Respondent.

Ms. Shilpa Redkar, Advocate for the Applicants /Appellant.

Mr. Vishal Phal i/b Sunita D. Sonawane, Advocate for the Respondent
No.1

CORAM : ABHAY AHUJA, J.

DATE : 18th AUGUST 2021

PC:

1. Heard.

2. By this application, Applicants are seeking condonation of delay of 46 days in preferring appeal against order dated 25th August 2011 passed by the City Civil & Sessions Court at Bombay.

3. Learned counsel for the Applicants draws attention of this Court to paragraph 3 of the application to submit that the delay in preferring the appeal is not deliberate. Learned counsel appearing for the

Respondent submits that he has no particular objection if the application for condonation of delay is allowed.

4. Having perused the reasons for the delay in paragraph 3 of the application and having heard the learned counsel, this Court is satisfied that there is sufficient cause in condoning the delay.

5. Accordingly, the delay of 46 days in preferring the appeal is condoned.

6. Interim Application is disposed of accordingly. Registry is directed to register the appeal.

7. Issue notice to Respondent in Appeal, returnable on 17th September 2021. Learned counsel for Respondent waives service of notice.

8. List the Appeal on 17th September 2021 for admission and for hearing of the application for stay.

(ABHAY AHUJA, J.)