

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

**CIVIL APPLICATION NO. 166 OF 2022
IN
FIRST APPEAL (ST) NO. 418 OF 2018**

Manohar P. Dhotare , prop. of
M/s. Smith Industries ..Applicant.

v/s.

Shri Dharamaji Shankar Thavi (deceased)
prop. Of M/s. Gaurishankar Pattern
Works & Ors. ..Respondents

**WITH
CIVIL APPLICATION NO. 3293 OF 2019
IN
FIRST APPEAL (ST) NO. 421 OF 2018**

Hiralal Panchal ..Applicant.

v/s.

Shri Dharamaji Shankar Thavi (deceased)
prop. Of M/s. Gaurishankar Pattern
Works & Ors. ..Respondents

**WITH
CIVIL APPLICATION NO. 168 OF 2022
IN
FIRST APPEAL (ST) NO. 426 OF 2018**

Mr. Krishnakumar G. Adukia
prop. Of M/s. Rajkala Trading Corporation ..Applicant.

v/s.

Shri Dharamaji Shankar Thavi (deceased)
prop. Of M/s. Gaurishankar Pattern
Works & Ors. ..Respondents

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**WITH
CIVIL APPLICATION NO. 1592 OF 2018
IN
FIRST APPEAL (ST) NO. 5077 OF 2018**

Mr. P.V.Prabhu, prop. Of
Siddhi Vinayak Kitchen Equipments
through Lrs. Smt. J.V.Prabhu
& Ors.

..Applicant.

v/s.

Shri Dharamaji Shankar Thavi (deceased)
prop. Of M/s. Gaurishankar Pattern
Works & Ors.

..Respondents

Mr. Nikhil Rajeshirke for the Applicant.
Mr. Anoop Sharma for the Respondent No.2.

**CORAM : ANUJA PRABHUDESSAI, J.
DATED : 2nd AUGUST, 2022.**

P.C.

1. Learned Counsel for the Applicants seeks leave to amend para 9 and 12 of the delay application so as to correct the number of days of delay. Leave granted. Amendment to be carried out forthwith.
2. By these applications, the applicant has sought to condone the delay in filing appeal against judgment dated 12.11.2016. The Applicant has stated that he was represented by Power of Attorney, who expired on 1.1.2015. He further stated that the Advocate on record also withdrew his appearance without giving notice to the Applicant. The Applicant has stated that the Applicant received notice in Execution proceeding in the last week of November, 2017 in another connected Suit No. 1621 of

1988. It is only thereafter that the Applicant learnt that the Suit Nos. 1618 of 1988, 1620 of 1988, 1616 of 1988 and 1619 of 1088 were also decided by judgment dated 12.11.2016.

3. Considering the reasons stated in the applications, which in my considered view, constitute sufficient ground , the delay is condoned. Civil applications stand disposed of.

4. Appeals be registered after removal of office objections, if any.

(ANUJA PRABHUDESSAI, J.)