

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3573 OF 2019  
IN  
FIRST APPEAL (ST) NO.6609 OF 2019

Mr. Abubaker K. V. Mohemmed .... Applicant / Appellant  
**Versus**

The Brihan Mumbai Municipal  
Corporation and anr. .... Respondents

Mr. V. H. Narvekar for the Applicant/Appellant.

Mr. Santosh Parad for the Respondent-MCGM.

**CORAM : SHRIKANT D. KULKARNI, J.**

**DATE : 21<sup>st</sup> JUNE, 2022.**

**P.C. :**

1. This is an Application for condonation of delay moved by the Applicant / Appellant.
2. Heard Mr. V. H. Narvekar, learned counsel for the Applicant/Appellant.
3. The Officials of the Respondent - MCGM failed to file an affidavit-in-reply inspite of giving sufficient chance by this Court.
4. Heard learned counsel for the Respondent-MCGM who strongly opposed to condone the delay.
5. It appears that there is a delay of 342 days in preferring the Appeal. By looking the nature of the dispute between the parties. It is necessary to condone the delay in order to decide the subject matter on its

own merits. Hence the following order;

**:: ORDER ::**

- (i) Application for condonation of delay is hereby allowed in terms of prayer clause 8[b].
- (ii) Registry is directed to make scrutiny of Appeal as per procedure and thereafter it be numbered and place the matter before the appropriate Court.
- (iii) Civil Application for condonation of delay is accordingly disposed of.

**(SHRIKANT D. KULKARNI, J.)**