

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

**CIVIL APPLICATION NO.1553 OF 2015
IN
FIRST APPEAL (STAMP) NO.8410 OF 2015**

Benard Joseph Correa and Ors. ...Applicants

Versus

Smt. Geeta Omprakash Gupta ...Respondent

...

Mr. Gauraj Shah with Ms Vini Joshi i/b. M/s. Chitnis Vaithy and Co. for the Applicants.

Mr. N.C. Sarvagod i/b. Mr. M.S. Pandey for the Respondent.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 14th SEPTEMBER, 2022.

P. C. :-

1. At the outset, learned counsel for the Applicants seeks leave to amend prayer clause (a) by substituting the word 'Application' with the word 'Appeal'. Leave granted. Amendment to be carried out forthwith.
2. By this application, the Applicants have sought to condone the delay of 3 years and 311 days in challenging the judgment and decree dated 26/08/2010.
3. Learned counsel for the Applicants states that the delay condonation application being Civil Application No.1563 of 2015 in connected First Appeal (Stamp) No.8403 of 2015 was dismissed by this Court by order dated 03/10/2019. He submits that the reasons stated in

the present application are same as stated in Application No.1563 of 2015. He therefore submits that the delay condonation application can be dismissed on the basis of the said order.

4. In the light of the above, delay condonation application stands dismissed. Registration of the first appeal is rejected.

5. Pending application (s), if any, stand (s) dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)