

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3816 OF 2017
IN
FIRST APPEAL (ST) NO.11210 OF 2017

Brihanmumbai MahanagarpalikaApplicant / Appellant

Versus

The Indian Hotels Company LimitedRespondents

Mr. Santosh Parad i/b. Mr. Sunil Sonawane for the Applicant / Appellant.
None for the Respondents.

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 19th JULY, 2022.

P.C. :

1. It is an Application for condonation of delay moved by the Applicant / Appellant by taking aid of the Limitation Act, 1963.
2. Heard learned counsel Mr. Santosh Parad i/b. Mr. Sunil Sonawane for the Applicant / Appellant.
3. None present for the Respondents when the matter is called out.
4. This matter was listed on 21st June, 2022 and this Court was pleased to grant last opportunity with caution that on the next date no adjournment shall be granted.
5. By looking to the old nature of the Application for condonation of delay and that too of the year 2017, it would be just and proper to dispose of this matter on its own merit.

6. According to the Respondents, there is delay of 382 days in preferring the Appeal whereas the Applicant has calculated the volume of delay as 288 days in preferring the Appeal and as per the office remark, there is delay of 288 days. By looking to the nature of dispute and in order to decide lis on its own merit, it would be just and proper to allow this Application for the ends of justice. Hence the following order;

:: ORDER ::

- (i) Application for condonation of delay is hereby allowed subject to payment of costs of Rs.5000/- to the High Court Legal Services Committee, Mumbai within one month from today.
- (ii) In case failure on part of the Applicant to comply with the order within time, this Application for condonation of delay shall stand dismissed.
- (iii) If the Applicant complied with the above said order within time, Registry is directed to make scrutiny of Appeal as per procedure and thereafter it be numbered and place the matter before the appropriate Court for admission.
- (iv) Civil Application for condonation of delay accordingly stands disposed of

(SHRIKANT D. KULKARNI, J.)