

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

**CIVIL APPLICATION NO. 1858 OF 2017
IN
FIRST APPEAL (ST) NO. 11270 OF 2017**

M/s. Southern Alliance Engineers & Anr. ...Applicants

Vs.

M/s. Advance Palms Pvt. Ltd. ...Respondent

.....

None for the Applicants.

None for the Respondent.

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 15 JULY, 2022

P.C.

. The Applicants and their Advocate remained absent, when the matter is called out.

2. This application is pending since the year 2017. As such, it would be appropriate to dispose of this application, on its own merits.

3. It is an application for condonation of delay moved by the Applicants. There seems to be delay of two years and 272 days in preferring the appeal.

4. Having regard to the nature of dispute and in order to decide the appeal on its own merits, it would be just and proper to condone the delay however, subject to payment of cost which would meet the ends of justice.

ORDER

(i) The application is hereby allowed in terms of prayer clause (a), subject to payment of cost of Rs.5,000/- with the High Court Legal Services Committee at Mumbai, within one month from today.

(ii) In case of failure on the part of Applicants, the application shall stand dismissed without making back reference to this Court.

(iii) If the cost is deposited within time, the Registry is directed to make scrutiny of the appeal as per procedure and thereafter, it be numbered and placed before the concerned Court for admission.

(iv) The civil application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)