

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

SHAMBHAVI
NILESH
SHIVGAN

CIVIL APPLICATION NO.409 OF 2019

IN

CIVIL REVISION APPLICATION (ST) NO.11965 OF 2019

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SHAMBHAVI NILESH
SHIVGAN

Date: 2022.08.25
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Mumbai District Central Co-operative Bank
Ltd. THR.

Officer Mr. Bharat Namdeo Gaikwad

..... Applicant

Vs.

Shefali Pradeep Pingale

THR. POA Ram R. Chanvat and Ors.

....Respondents

Mr. Rahul M. More for the Applicant.

Ms. Simran Jagasia i/by S.V.Sadavarte for Respondent No.1.

CORAM: SANDEEP K. SHINDE, J.

DATED : AUGUST 25, 2022

P.C.

1. Petitioner is the Defendant No.3 in the Regular Civil Suit No.76 of 2016 instituted by Respondent No.1. Defendant No.3 sought rejection of plaint vide application filed under Order 7 Rule 11(b) and (d) of the Code of Civil Procedure, 1908. That application was rejected on 26th November, 2018. Correctness of that order is questioned in the Civil Revision Application. However, there was delay of 46 days in filing the Revision Application. Applicant seeks and prays that delay may be condoned.

2. Heard Mr. More, learned counsel for the Applicant and Ms. Simran Jagasia for the Respondent No.1. Averments in the application disclose '*Sufficient Cause*' to condone the delay. Application is, therefore, allowed and made absolute in terms of prayer clause (a) and disposed of accordingly.

3. List Civil Revision Application for Admission on 13th December, 2022.

(SANDEEP K. SHINDE J.)