

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

**CIVIL APPLICATION NO. 3583 OF 2019
IN
FIRST APPEAL (ST) NO. 21569 OF 2019**

Mr. Sabir Ali Khan (Since Decd)

through LRs. Zaib Nazma Sabirali

Khan and Ors.

...Applicants

Vs.

Mr. Nawab Abdul Shaikh and Anr.

...Respondents

MAMTA
AMAR
KALE

Digitally
signed by
MAMTA
AMAR KALE
Date:
2022.07.19
10:34:27
+0530

.....

Mr. Mangesh Patel, for the Applicants.

None for the Respondents.

.....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 15 JULY, 2022

P.C.

. It is an application for condonation of delay moved by the Applicants / Appellants.

2. Heard Mr. Mangesh Patel, learned counsel for the Applicants / Appellants. Respondents though duly served with notices, remained absent when the matter is called out.

3. There is delay of 125 days in preferring the appeal. For the reasons stated in the application in para 4 and in order to decide the appeal on its own merits, it is necessary to allow this application.

ORDER

(i) The application for condonation of delay is hereby allowed in terms of prayer clause (a).

(ii) 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.

(iii) The civil application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)