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

CIVIL REVISION APPLICATION NO. 263 OF 2021

VITTHAL KISAN KAMATHE

....APPLICANT

V/s.

VICTOR GEORGE FERNANDEZ THR.RESPONDENT
POA MRS. JOANITA VICTOR FERNANDESE

Mr. Rahul V. Shinde advocate for the Applicant
Mr. Suryajeet P. Chavan i/b One Legal Bay for the Respondent

CORAM : NITIN W. SAMBRE, J.

DATE: FEBRUARY 2, 2022.

P.C.:

- 1) Heard.
- 2) The Appellate Court while ordering condonation of delay has rightly exercised discretion. Though same is strenuously objected by the counsel for the Applicant Mr. Rahul Shinde on the ground that the discretion is exercised arbitrarily, I see no reason which warrants interference in extraordinary jurisdiction of this Court. Petition as such fails, stands dismissed.
- 3) Cost of Rs. 10,000/- saddled by Ad-hoc District Judge – 5, Pune

as a condition precedent for ordering condonation of delay is enhanced to Rs. 25,000/- to which original Plaintiff-Petitioner will be entitled to withdraw.

[NITIN W. SAMBRE, J.]