

S.S.Kilaje

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

**FIRST APPEAL (ST.) NO. 30659 OF 2019
WITH
INTERIM APPLICATION NO. 3610 OF 2019
IN
FIRST APPEAL (ST.) NO. 30659 OF 2019
WITH
INTERIM APPLICATION NO. 3611 OF 2019
IN
FIRST APPEAL (ST.) NO. 30659 OF 2019**

Haroon Janmohammed Betrywala .. Appellant /Applicant

Versus

Tarbez Abdulla Shaikh .. Respondent

-
- None for the Appellant / Applicant
 - None for the Respondent
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CORAM : MILIND N. JADHAV, J.

DATE : JULY 19, 2022

P.C.:

1. Perused the order dated 28.06.2022.
2. Learned counsel appearing for the appellant had made a statement that the delay has been condoned. However, a copy of the order is not on record. Hence, Registry was directed to verify. The report of verification by the Registry is placed before the Court. The report states that delay is not condoned till date. There are other objections also.
3. Interim Application No.3610 of 2019 has been filed by the appellant in F.A.(St.) No. 30659 of 2019 in Summary Suit No. 836 of

2016. The application states that there is a delay of 65 days in filing the appeal. The explanation for the delay is contained in paragraph No.2 of the application. The reasons given by the appellant for the delay deserve consideration. Interim Application No.3610 of 2019 therefore stands allowed in terms of prayer clause (a). Delay of 65 days stands condoned.

4. Interim Application No. 3610 of 2019 stands disposed of.
5. Appellant directed to number the First Appeal before the next date. First Appeal to be listed on **25th July, 2022.**

[MILIND N. JADHAV, J.]

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