

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1560 OF 2019****WITH****INTERIM APPLICATION NO. 1122 OF 2020****WITH****INTERIM APPLICATION ST NO. 16113 OF 2019****IN****APPEAL FROM ORDER ST NO.15502 OF 2019**

Pradipkumar Jamuar

.. Applicant

Versus

M/s. JWR Logistics Pvt.Ltd

.. Respondent

...

Mr. Sajid Shamim and Murtuza Slatewala i/b S. Shamim & Co.
for the applicant.

CORAM: BHARATI DANGRE, J.**DATED : 29th APRIL, 2022****P.C:-****Interim Application No.1122/2020**

1 By the present Application, the applicant seek withdrawal of the Appeal from Order St No.15502/2019, which came to be dismissed on account of non-removal of the office objection. In seeking the said relief of restoration, there is a delay of 33 days.

2 On hearing the learned counsel for the appellant, and on perusal of the application, I am convinced about the bonafides of the applicant in not removing the office objection and also about the delay that has occasioned in taking the application for

condonation of delay.

3 Interim Application No.1122/2020 is allowed in terms of prayer clauses (a) and (b).

The office objection shall be removed within a period of six weeks from today.

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4 By the present Application, the delay of 8 days in filing the Appeal is sought to be condoned.

Heard the learned counsel for the applicant and perused the Application. The impugned judgment/decreed is passed on 14/2/2019, and on obtaining the certified copy on 26/2/2019, steps were taken to file an Appeal which was affirmed on 14/5/2019, but in the wake of the summer vacation, it could not be filed till 4/6/2019, is the explanation offered in the application.

5 I am satisfied that the delay being miniscule and bonafide, deserve to be condoned.

Interim Application is allowed in terms of prayer clause (a).

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6 Issue notice to the respondents, making it returnable on 11/7/2022.

(SMT. BHARATI DANGRE, J.)