



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

**CIVIL APPLICATION NO.36 OF 2022
IN
APPEAL FROM ORDER (ST) NO.24635 OF 2019**

Mudhit Madanlal Gupta ... Applicant
versus
Prachin City Developments Pvt. Ltd. And Ors. ... Respondents

Ms. Tanvi Mehta i/by Lexim Associates, for Applicant.
Mr. Gaurav Ugale i/by Mr. Shriram S. Kulkarni for Respondent Nos.1 to 4.

CORAM: N.J.JAMADAR, J.

DATE : 12 JULY 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This application is preferred seeking condonation of delay of 105 days in preferring an appeal against the order dated 15 January 2019 passed by the Civil Judge, Senior Division, Panvel, whereby the application for temporary injunction taken out by the Applicant/Plaintiff came to be rejected.
3. For reasons assigned in the application, particularly the fact that the applicant is a non-resident Indian and thus could not make necessary arrangements to prefer the appeal within the stipulated period, the delay deserves to be condoned. Thus to advance the cause of justice, delay in preferring the appeal stands condoned.

4. The Appeal be registered and listed for admission on 9 August 2023.
5. Civil Application stands disposed.

(N.J.JAMADAR, J.)