

Santosh

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

**INTERIM APPLICATION NO. 3493 OF 2023
IN
APPEAL FROM ORDER (ST) NO. 3874 OF 2023**

SANTOSH
SUBHASH
KULKARNI

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SANTOSH SUBHASH
KULKARNI
Date: 2023.08.03
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Gopinath Bhiwa Manerkar and anr. ...Applicants

Versus

Kalyan Dombivi Municipal Corporation,
Kalyan through its Commissioner and ors. ...Respondents

Mr. Sumit Kothari, for the Applicants.

Mr. A. S. Rao, for the Respondents.

CORAM: N. J. JAMADAR, J.

DATED : 2nd AUGUST, 2023

PC:-

1. Heard the learned Counsel for the parties.
2. This application is preferred to condone the delay of 99 days in filing appeal against an order dated 2nd August, 2022 passed by the learned Civil Judge, Senior Division, Kalyan, whereby the plaint was ordered to be returned. In the application, the applicant has ascribed reasons for not filing the appeal within the stipulated period.
3. For the reasons assigned in the application and in order to advance the cause of substantive justice, application stands allowed.

4. Delay in preferring appeal stands condoned.
5. Application stands disposed.
6. Appeal be registered and listed for admission on 13th September, 2023.

[N. J. JAMADAR, J.]