

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

**INTERIM APPLICATION NO. 3478 OF 2023
IN
FIRST APPEAL (ST.) NO. 7621 OF 2023**

Jaydev Krishnaram Divecha .. Applicant

Vs.

Joint Charity Commissioner, Greater
Mumbai & Ors. .. Respondents

.....
Mr. S.S. Kanetkar a/w Mr. Nilesh Modi, Kshitij Kadam, Bhairav
Jadhav, Tejas Bhat i/b Rustomji & Ginwala for the applicant
Mr. Amol Joshi for the respondent nos. 2 to 5
.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 12th APRIL, 2023

P.C.

1. Heard.
2. A delay of 47 day has occurred in preferring the First Appeal against the impugned judgment and order dated 28th October, 2022 passed by the Joint Charity Commissioner, Greater Mumbai.
3. According to the learned Counsel for the applicant, the delay has been occurred unintentionally and for the reason that the

certified copy was not available on 24th February, 2022. Several documents were not legible and were in vernacular language, which were required to be translated.

4. Learned Counsel for the respondent nos. 2 to 5 objects the prayer on the ground that the approach of the applicant is casual.

5. Considering the reasons stated in the application, it appears that there is sufficient cause for the delay. As such, the delay needs to be condoned in the interest of justice.

6. Application is allowed in terms of prayer clause (a). Delay is condoned.

7. The Application is disposed of. No costs.

8. Registry to number the appeal.

9. List the Appeal on **12th June, 2023** along with Interim Application No.3479 of 2023.

(PRITHVIRAJ K. CHAVAN, J.)