

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.9988 OF 2022
IN
FIRST APPEAL [STAMP] NO.11780 OF 2022**

M/s. Kiran Shetty & Co.	]	
Correctly known as Kiran Shetty Design	]	
Studio, Design Consultancy Firm by and	]	
through It's Proprietor Kiran Shetty	]	Applicant

IN THE MATTER BETWEEN:

M/s. Kiran Shetty & Co.	]	
Correctly known as Kiran Shetty Design	]	
Studio, Design Consultancy Firm by and	]	
through It's Proprietor Kiran Shetty	]	Appellant
Vs.		
Shobha Sunil Kambli widow of	]	
Sunil G. Kambli and others	]	Respondents

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Mr. Karl Tamboly a/w Sheetal Shah, Dimple Bitra and Dua Shaikh
i/b M/s. Mehta & Girdharlal, for Applicant.

Ms. C.S. Savithri, for Respondent Nos. 1 to 3.

Mr. Pandit Kasar, for Respondent No.4.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 7th August, 2023.

P.C.

1. Heard learned Counsel for the applicant and learned Counsel
for the respondents.

2. This is an application seeking condonation of delay of 1346 days occurred in filing the appeal against the impugned judgment and decree passed by the trial Court.

3. Learned Counsel for the respondents object the prayer for condonation of delay.

4. For the reasons stated in paragraphs (j) and (l) of the application, it appears that delay was not deliberate but *bona fide*. As such, application is allowed in terms of prayer clause (a) subject to costs of Rs.5,000/- to be paid to respondent No.1 within four weeks. Subject to deposit of costs, Registry to number the appeal.

5. Application is disposed of.

[PRITHVIRAJ K. CHAVAN, J.]