

Santosh

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

**INTERIM APPLICATION NO. 12980 OF 2023
IN
APPEAL FROM ORDER (ST) NO. 15303 OF 2023**

SANTOSH
SUBHASH
KULKARNI

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Balaji Gurusharan Barai

...Applicant

Versus

The Municipal Corporation of Greater
Mumbai

...Respondent

Mr. J. S. Yadav, i/b B. S. Shukla, for the Applicant.

Ms. Smita Tondwalkar, for the MCGM – Respondent.

CORAM: N. J. JAMADAR, J.

DATED : 28th JUNE, 2023

PC:-

1. Heard the learned Counsel for the parties.
2. This application filed seeking condonation of 90 days delay in preferring the appeal against an order dated 9th February, 2023, passed by the learned Judge, City Civil Court, in Notice of Motion No. 2561 of 2016 in LC Suit No.2353 of 2014.
3. In paragraph 2 of the application the applicant has ascribed justifiable reasons. Thus, for the reasons assigned in the application and to advance the cause of substantive justice, the delay deserves to be condoned.

4. Hence, the following order.

: O R D E R :

- (i) The application stands allowed.
- (ii) The delay in preferring the appeal stands condoned.
- (iii) Appeal be registered and listed for admission on 28th July, 2023.
- (iv) To be listed alongwith Appeal No.278 of 2023.

[N. J. JAMADAR, J.]