

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 939 OF 2024
WITH
INTERIM APPLICATION NO. 940 OF 2024
IN
FIRST APPEAL (ST) NO. 17700 OF 2023

Mr. Pannalal Dassani

... Appellant/Applicant

Vs.

Satish Dattaram Prabhu And Anr.

... Respondents

Adv. Neeta Jain i/by Adv. Alochan Naik for the Appellant.
Adv. Vipul Shukla, for the Respondents.

CORAM : KISHORE C. SANT, J.

DATE : 13th FEBRUARY, 2024

P.C.:-

1. This Interim Application No. 939 of 2023 is filed seeking condonation of delay of 17 days caused in filing the above First Appeal.
2. The learned Advocate for the Appellant submits that the Judgment and decree is of 27/04/2023, however, the same was uploaded on 08/05/2023. The appellant applied for certified copy on 02/05/2023. The certified copy was ready on 19th May 2023. Thereafter, due to court vacations the Applicant could meet his Lawyer with a certified copy and other relevant documents only on 8th June, 2023. All the documents collected on 8th June, 2023 were handed over to the Lawyer on 8th June,

2023 there is submitted that in fact there is no delay.

3. Considering the limitation from 27th April, 2023 they appears delay of 17 days. It is clear that the delay be condoned.

4. Learned Advocate for the Respondent vehemently opposes the Application. However considering the reasons assigned this Court finds that sufficient cause is shown for condonation of delay. The Interim Application No. 939 of 2024 is therefore allowed. Delay stands condoned. The Interim Application No. 939 of 2024, is disposed of. The Affidavit-in-reply of Respondent is taken on record.

5. Place the above First Appeal along with Interim Application No. 940 of 2023 on 27th February, 2024.

(KISHORE C. SANT, J.)