

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1430 OF 2024

IN

FIRST APPEAL (ST) NO.1464 OF 2024

Ilyas Abdul Gaffar & Anr.

: Applicants

Vs.

Municipal Corporation of Greater Mumbai

: Respondent

Adv. Rishikesh Chindarkar i/by Adv. Amit Tungare, for the Applicants.
Mr. Santosh Parad, for the Respondent/MCGM.

CORAM : KISHORE C. SANT, J.

DATE : 9TH FEBRUARY, 2024

PC. :

1. This Application is moved for condonation of delay of 47 days caused in filing First Appeal. It is argued that the Appeal was presented within time. However, wrongly it was filed on the Original Side of this Court. It was wrongly mentioned as Appeal in the Original Civil Jurisdiction category. After realizing that it was wrongly filed in the Original Jurisdiction, the Applicant took steps to file on the Appellate Side. In the process the delay is caused. It is therefore prayed condone the delay.

2. Learned Advocate for the Corporation/Respondent vehemently oppose the Application. Considering the reasons, this Court finds that

sufficient cause is made out to condone the delay. Delay is therefore condoned.

3. Interim Application stands allowed.
4. Interim Application stands disposed of.

(KISHORE C. SANT, J.)