

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.6303 OF 2024

IN

FIRST APPEAL (ST) NO.3477 OF 2024

Salim E. Rupani

: Applicant

IN THE MATTER BETWEEN

Salim E. Rupani

: Appellant

Vs.

DCB Bank Limited

(formerly known as

Development Credit Bank Limited)

: Respondent

Adv. Niyati Shah i/by MLS Vani & Associates, for the Applicant.

Adv. Rama Nageswaran M/s K. Ashar & Co., for the Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 4TH MARCH, 2024

PC. :

1. This Application is filed praying for condonation of delay of 15 days caused in filing the First Appeal challenging the judgment and order dated 11th December, 2023 passed by the City Civil Court, Mumbai in Suit No.4850 of 2007.

2. Heard the parties.

3. The reason assigned for delay is that the Appellant was not

well and was on advised a rest by his doctor. The Applicant therefore could not approach his lawyer for instructions.

4. Learned Advocate for the Respondent opposes the Application stating that there is no Affidavit or Certificate showing to substantiate the reason assigned for delay.

5. Considering the delay is of 15 days and for the reason that the Appellant was not well.

6. Delay is condoned .

7. Application stands disposed of.

8. Office to register First Appeal. After registration of the First Appeal, Applicant is at liberty to move the First Appeal.

(KISHORE C. SANT, J.)