

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****INTERIM APPLICATION NO. 1487 OF 2021****IN****CIVIL REVISION APPLICATION (ST) NO. 3563 OF 2021****Bajpe Shivram Shetty****..... Applicant****IN THE MATTER BETWEEN****IDBI Bank Ltd.****..... Applicant****VERSUS****Bajpe Shivram Shetty****..... Respondent**

Mr.S.G.Deshmukh a/w. Mr.S.P.Kanuga for the Applicant.

Mr.Rakesh K. Singh a/w. Mr.Meet Vithalani for the IDBI.

CORAM: RAJESH S. PATIL, J.**DATE : 5 JANUARY, 2024****P.C. :-**

This interim application is filed by the applicant for condoning the delay in filing the Civil Revision Application.

2. Mr.Deshmukh, learned counsel for the applicant submits that the certified copy of the Appellate Court order was received only on 19 July, 2019. The limitation period for filing the present Civil Revision Application was 90 days. The said period ended on 18 October, 2019. Mr.Deshmukh further submits that the

pandemic period started in the year 2020 when the Supreme Court in the Suo Motu Writ Petition (Civil) No. 3 of 2020 has passed certain orders. Therefore, in the present Civil Revision Application, the delay would be 162 days. However, the Department has mentioned the delay of 407 days in filing the Civil Revision Application.

3. Mr.Deshmukh further submits that the applicant was 77 years of age at the time of filing of this interim application and is now 80 years of age. He further submits that the applicant is suffering various ailments including high blood pressure and diabetes. He further submits that there is no intentional delay in filing the present Civil Revision Application. He further submits that the impugned order is already challenged by the respondent bank. Therefore, he submits that both the Civil Revision Applications can be heard together.

4. Mr.Singh, learned counsel appearing for the bank opposes this interim application.

5. Heard both the sides. I have gone through the contents of the interim application. Case is made out for condoning the delay in filing this Civil Revision Application.

6. Interim application is allowed in terms of prayer clause (a).

7. Interim application is disposed of accordingly.

8. Civil Revision Application (St) No. 3563 of 2021 to be heard along with Civil Revision Application No. 17 of 2020 on 6 February, 2024 at 2.30 p.m.

[RAJESH S. PATIL, J.]