

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.15485 OF 2023

IN

FIRST APPEAL (ST) NO.15862 OF 2023

Alka Jayantilal Shah & Ors. : Applicants

IN THE MATTER BETWEEN

Alka Jayantilal Shah & Ors. : Appellants

Vs.

Apurva Shah & Anr. : Respondents

Adv. Palak Shah, for the Applicants.

Adv. Sandeep Sharma, for the Respondent No.1.

CORAM : KISHORE C. SANT, J.

DATE : 20TH FEBRUARY, 2024

PC. :

1. All the parties are served.
2. Heard the parties.
3. This Application is filed seeking condonation of delay of 63 days caused in filing the Appeal.
4. Learned Advocate for the Applicants submits that the delay is not intentional. The reasons stated is that the Appellant is old aged lady and she was not well. After getting the knowledge that the Appeal is

required to be filed she approached the advocate to instruct him to file Appeal. Thereafter for some reasons she was required to change the earlier advocate. In that process, some time is taken. Learned Advocate thus submits that delay deserves to be condoned.

5. Learned Advocate for the Respondent No.1 vehemently opposes the Application submitting that there is no sufficient cause made out to condone the delay.

6. Considering that delay is only 63 days and Appellant is aged lady, thus this Court finds in the interest of justice to condone the delay.

7. Considering the above delay stands condoned.

8. Application is allowed and disposed of.

9. Office to register First Appeal

10. After registration, place the Appeal for admission on 5th March, 2024.

(KISHORE C. SANT, J.)