

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.17994 OF 2023
IN
FIRST APPEAL STAMP NO.4085 OF 2023**

Gold Plaza Developer Pvt. Ltd. ..Applicant
Versus
The Municipal Corporation of Gr. Bombay ..Respondent

Ms. Indira Labde, for the Applicant.
Mr. Santosh Parad, for the Respondent/MCGM.

CORAM : KISHORE C. SANT, J.

DATE : 8th MAY, 2024

PC.

1. This Application is filed seeking condonation of delay of 17 days caused in filing the Appeal. Learned advocate for the Applicant informs that though the judgment was pronounced on 22.12.2022 i.e. last working day before the Christmas Vacation, the same was actually uploaded on 04.01.2023. It is only thereafter the Appellant could see the contents of the judgment and take decision to file Appeal. In that process, delay is caused and the same is unintentional.

2. Learned advocate Mr. Santosh Parad for the Respondent /Corporation opposes the Application stating that even after uploading of the judgment, there was still sufficient time in the

hands of the Appellant to prefer Application.

3. Since the delay is only of 17 days and for the reasons stated above, this Court is inclined to allow the Application. The Application is therefore allowed. Delay stands condoned.

4. Place the Appeal on board dated 26th June, 2024.

[KISHORE C. SANT, J.]