

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition NO. 3533 OF 2024

Mahendra Jayantilal Shanklesha

...Petitioner

Versus

Kum Anita Hiralal Thakkar

...Respondent

Adv. R. S. Datar, for the Petitioner.

CORAM : RAJESH S. PATIL, J.

DATED : 8 MARCH 2024

P.C.:

1. This Writ Petition challenges the rejection of condonation of delay in filing the Civil Appeal which was filed under the provision of Order 41 Rule 1 of the Code of Civil Procedure, 1908.

2. Mr. Datar, appearing for the Petitioner submits that delay was only of 187 days in filing of the Appeal before the District Court, at Thane.

3. Issue notice to the respondent, returnable after four weeks.

Apart from court notice, petitioner is permitted to serve the respondent by advocate's private service, by all permissible modes of service and file affidavit of service before the next date of the hearing.

4. Stand over to 5 April 2024.

(RAJESH S. PATIL, J.)