

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

**INTERIM APPLICATION NO.9534 OF 2024
IN
APPEAL FROM ORDER (ST) NO. 11644 OF 2024**

Ghanshyambhai Magallal Chotaliya

....Applicant

Vs.

Mahindra And Mahindra Employees
Co-Operative Housing Society Ltd.
Through Secretary & Ors.

....Respondents

Mr. Rahul Kedar i/b. Mr.Chirag Gandhi for the Applicant.

Mr. Uday Jagushthe for Respondent No.1.

Ms. Seena Rawade for the Respondent Nos. 2 to 10-MCGM.

CORAM : SHYAM C. CHANDAK, J.

DATE : 10th OCTOBER, 2024.

P.C. :

. The present Application is seeking for condonation of 47 days delay in filing the Appeal against the Order dated 29th January 2024, passed by the learned City Civil Court, Greater Mumbai, Dindoshi Division, Borivali in Notice of Motion No. 4424 of 2023 in Suit No.3267 of 2023. Learned counsel for Respondent Nos. 1 to 10 opposed the application strongly.

2) There is no huge delay. The Appellant has not taken any disadvantage on account of the said delay. Learned counsel for the Appellant states that the Appellant has a very good case on merit. In view thereof and considering other reasons stated in the Application, I am inclined to allow the Application. Hence, following Order:

ORDER:

- i) Interim Application is allowed.
- ii) The delay of 47 days in filing the aforesaid Appeal is condoned.
- iii) Appeal be registered subject to clearing the office objections within three weeks.

(SHYAM C. CHANDAK, J.)

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