

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 13134 OF 2024
IN
FIRST APPEAL(ST) NO. 16287 OF 2024

Bank of India ...Applicant
Versus
Keyur Ghoda And Anr. ...Respondents

Mr. O.A. Das, for the Applicant.
Mr. Dipen Furia i/b. M/s. Shah & Furia Associates for the Respondents.

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CORAM : ADVAIT M. SETHNA, J.

DATE : 27 JANUARY 2025

P.C.:

1. This is an application filed for condoning the delay of 90 days in filing the said First Appeal against the order dated 15 February 2024 passed by the City Civil Court, Mumbai.

2. The reasons for delay are set out in the application, more particularly, in paragraphs 5, 6, 7, 10 and 11 of the said application. A perusal of the averments in the application indicate that such delay is not intentional and/or deliberate. Sufficient cause has been made out by the applicant to condone such delay.

3. At this juncture, the learned Advocate for the respondent who opposes the Interim Application points out that as per the office note delay is of 88 days. Be that as it may, sufficient cause for condonation of delay has been made out by the applicant in the given facts and circumstances. Accordingly, in the interest of justice, delay is condoned. Interim Application is allowed in terms of prayer clause (a).

4. Subject to removal of office objections, let the First Appeal be registered and listed on 24 February 2025 for 'Admission'.

(ADVAIT M. SETHNA, J.)