

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

**INTERIM APPLICATION NO.7517 OF 2025
[FOR DELAY CONDONATION]**

IN

FIRST APPEAL (ST) NO.6423 OF 2025

Sudhir Govindlal Mody

...Applicant

In the matter between:-

Sudhir Govindlal Mody

...Appellant

V/s.

Municipal Corporation of Greater Mumbai
and Ors.

...Respondents

Mr.Laukik Palekar a/w Mr.Laukik Deshmukh i/b. Lawfort Advocates:-	Advocates for Applicant/ Appellant.
Ms.Pallavi Khale i/b. Ms.Komal Punjabi:-	Advocate for Respondent No.1- BMC.

CORAM : S. M. MODAK, J.

DATE : 16th SEPTEMBER 2025

P. C. :-

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1. Heard learned Advocate for the Applicant and learned Advocate for Respondent No.1 -BMC.

2. The Respondent No.8 has expired. There is a noting in the farad-sheet dated 11th September 2025. He is one of the trustees of the Trust-Respondent No.2. The Applicant is seeking leave to remove his

name. This prayer can be considered once the other trustees will appear.

3. There is a remark about bailiff report informing that the Respondent Nos.2 to 7 / other trustees occasionally visits the said premises. That is why the service is effected by pasting.

4. There is a delay of 95 days in filing the Appeal challenging the judgment of Civil Civil Court thereby dismissing the suit. For the reasons stated in the Application, the Application is allowed in terms of prayer clause (a). Accordingly, it is disposed of.

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5. Heard both the sides.

6. **Admit the Appeal.**

7. **Call Record and Proceeding.**

8. Issue notice to Respondent Nos.2 to 7 returnable on **4th November 2025.** Considering the bailiff remark and contents of Affidavit-in-Reply, at first instance, notice be issued to Respondent Nos.2 to 7 on the address given in the Appeal memo. Once report will come, if required, directions can be given to serve on different address.

[S. M. MODAK, J.]