IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.5257 OF 2026
IN
APPEAL FROM ORDER(ST) NO.12341 OF 2026
WITH
APPEAL FROM ORDER NO.328 OF 2026

Swami Vivekanand Co-op. Housing
Soci. Ltd Thr. Kamal Rangnath Gaikwad
(Chairman) & Anr — Applicants/Appellants

Versus

Sagar Constructions Company
Thr. Its Partners Sachin Rikhablal Bhandari & Anr — Respondents

WITH
INTERIM APPLICATION NO.2460 OF 2026
IN
APPEAL FROM ORDER NO.328 OF 2026
WITH
INTERIM APPLICATION(ST) NO.12342 OF 2026
IN
APPEAL FROM ORDER(ST) NO.12341 OF 2026

PRIYANKA MADHAVRAO KALE
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Date: 2026.10.13 18:31:01 +0530

Adv. A. Sakhare i/by Vivek Salunke for the Applicants/Appellants.

Adv. Suresh M. Sabrad a/w Adv. Pratik Sabrad for the Respondents.

CORAM: AARTI SATHE, J.

DATE: 13th October 2026.

P.C.

1. I have heard learned counsel for the parties on this Interim Application which is filed praying for condonation of delay in filing the aforesaid Appeal. The delay which is sought to be condoned is of 30 days. On the Respondents being

served, the Respondents are represented by Mr. Suresh Sabrad, learned counsel. There is no written opposition filed to this application. Mr. Sabrad, although has orally opposed this application vehemently, he would not dispute the well settled position in law in a catena of judgments of the Supreme Court in regard to the principles to be followed on condonation of the delay and more particularly he would not dispute that, in the clear facts and circumstances of the case, as set out in the memo of the application, the Applicant ought not to suffer or be rendered remediless in pursuing the Appeal.

2. In the aforesaid circumstances, having perused the memo of the application and considering the period of delay not being very gross, in my opinion, the reasons as set out certainly provide for an appropriate justification and a sufficient cause shown by the Applicant in regard to the delay in filing the Appeal. It is hence in the interest of justice that the delay is condoned.

3. The Interim Application is hence allowed in terms of prayer clause (a). Interim application No.5257 of 2026 stands disposed of in the above terms. No costs.

4. List both the Appeals from Orders on **27th October 2026**, subject to removal of office objections in Appeal from Order (ST) No.12341 of 2026, within ten days from today.

(AARTI SATHE, J.)