

Sequeira

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

*CIVIL APPLICATION NO. 3587 OF 2018
(For condonation of delay)
IN
FIRST APPEAL (Stamp) NO. 12531 OF 2018*

Mr.Krishna Ramchandra Keni Allias Bhandari .. Applicant
Vs
Municipal Corporation of Greater Bombay .. Respondent

Mr.Sandeep Patade i/b Kayval Shah, for the Applicant.
Ms.Oorja Dhond i/b J.J.Xavier, for Respondent-BMC

*Coram : N.M.Jamdar, J.
Date : 29 January 2019.*

P.C.:

Heard learned counsel for the parties.

2. The delay in filing this First Appeal is of 47 days. The learned counsel appearing for the Municipal Corporation opposes. Perusal of the Application shows that the cause made out seeking condonation of delay is the demise of the Applicant's mother and the ill-health of the Applicant. Considering this cause made out, the equities can be balanced by imposition of suitable costs.

3. Accordingly, Civil Application is allowed in terms of prayer clause (a) subject to the Applicant paying costs of Rs.1000/-

(Rupees One Thousand only) to the Respondent-Municipal Corporation. The costs be paid within period of four weeks and receipt be produced on the file of the First Appeal. The First Appeal to be placed on board as per its C.M.I.S date, after all office objections are removed.

(N.M.Jamdar, J.)