IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 10865 OF 2017
[@ SPECIAL LEAVE PETITION (C) NO. 31660 OF 2016]

MUNICIPAL CORPORATION OF GREATER MUMBAI   Appellant (s)

VERSUS

MOHAMMED ASHRAF ABDUL KARIM KAPADIA   Respondent(s)

J U D G M E N T

KURIAN, J.

1.   Leave granted.

2.   The first appeal before the High Court was dismissed on the ground that there was a delay of 34 days in filing the appeal by the appellant-Municipal Corporation of Greater Mumbai.

3.   Having gone through the affidavit filed for condonation of delay and having heard both the parties, we are of the view that the delay was liable to be condoned.   Hence, the delay in filing the appeal before the High Court is condoned.

3.   The High Court is directed to take the appeal on record.

4.   In view of the above, this civil appeal is disposed of.

      No costs.

                            ....J.
                               [KURIAN JOSEPH]

                            ....J.
                               [R. BANUMATHI]

New Delhi;
August 25, 2017.

S U P R E M E   C O U R T   O F   I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 31660/2016

(Arising out of impugned final judgment and order dated 22-04-2016
in CA No. 1414/2016 in FA (ST) No. 10792/2016 in LCS No. 1703/2010
passed by the High Court Of Judicature At Bombay)

MUNICIPAL CORPORATION OF GREATER MUMBAI   Petitioner(s)

VERSUS

MOHAMMED ASHRAF ABDUL KARIM KAPADIA   Respondent(s)

Date : 25-08-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
          HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s)   Mr. Atul Yeshwant Chitale, Sr. Adv.
                     Ms. Suchitra Atul Chitale, AOR
                     Ms. Shivangi Khanna, Adv.
                     Mr. Pravin V. Naik, Adv.
                     Ms. Tanvi Kakar, Adv.

For Respondent(s)   Mr. S. M. Jadhav, Adv.
                     For M/s. S.M. Jadhav And Company
                     (Appearance slip not given)

          UPON hearing the counsel the Court made the following
                         O R D E R

     Leave granted.

     The appeal is disposed of in terms of the signed
non-reportable Judgment

     Pending interlocutory applications, if any, stand disposed of.

(JAYANT KUMAR ARORA)   (RENU DIWAN)
  COURT MASTER   ASSISTANT REGISTRAR

          (Signed non-reportable Judgment is placed on the file)