

nITEM NO.7

COURT NO.9

SECTION IX

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 (Civil) No(s).11348/2010

(From the judgement and order dated 18/03/2010 in CA No. 4412/2009  
& FA No. 26903/2009 of The HIGH COURT OF BOMBAY)

BABANRAO JAYRAM BORHADE(D) BY LRS.

Petitioner(s)

VERSUS

MALTI DATTARAU PADHYE & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 28/03/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY  
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

Mr. R.P. Bhatt, Sr. Adv.  
Mr. Navin Prakash, Adv.

For Respondent(s)

Mr. Vishwajit Singh, Adv.  
Mr. Vijay Kumar, Adv.

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

Leave granted.

The appeal is allowed in terms of the signed order.

(NIDHI CHUGH)  
Sr. P.A.

(RENUKA SADANA)  
Court Master

(Signed order is placed on the file.)  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2821 OF 2011  
(Arising out of SLP (Civil) No.11348 of 2010)

BABANRAO JAYRAM BORHADE(D) BY LRS.

...Appellants

VERSUS

MALTI DATTARAU PADHYE & ORS.

...Respondents

O R D E R

Leave granted.

We have heard the learned senior counsel for the  
appellants and learned counsel for the respondents.

Having regard to the facts and in the circumstances

of the case, we consider that interest of justice requires  
condonation of 220 days of delay in filing the First Appeal  
against the decree and judgment of the trial court. The  
delay in filing the First Appeal is, accordingly, condoned.  
The impugned order is set aside. The First Appeal shall be  
registered for hearing and its expeditious disposal on  
merits.

The appeal is, accordingly, allowed.

....., J.  
[B. SUDERSHAN REDDY]

....., J.  
[SURINDER SINGH NIJJAR]

NEW DELHI;  
MARCH 28, 2011.