

In the Court of Judge, Co-operative Court Thane at Thane
(Presided over by Mrs. M. A. Sali, Judge)

Miscellaneous Application No. 01/2018
Dispute No. CCT 88/2015
CNR No. MHCO04-000022-2018

Ramji Apartment CHS Ltd.

Disputant

V/S

Surinder Singh A. Anand

Opponent

Order
(Below Exh. 1)

1. It is submitted by the disputant that the present matter was kept for cross examination of the disputant/secretary on 25/09/2017. The previous advocate Mr. C. S. Kakera could not attend the Hon'ble Court on the ground of heart illness. The disputant also could not attend the Hon'ble Court on the ground beyond his control. The respondent who wanted to cross also remained absent. However the Hon'ble Court was pleased to dismiss the above matter on 25/09/2017 for default of the disputant. Hence prayed to condone the delay of 37 days in taking out the application for condonation of delay.

2. Opponent is duly served with suit summons but failed to appear in the matter. Hence "exparte" order is passed against them on 23/07/2018.

3. Heard Ld. Advocate for the disputant. Perused the record. I am of the view that for effective adjudication of the dispute and in the interest of justice the delay caused be condoned. But it should be condoned by imposing some cost on the disputant. Hence in the

interest of justice and to adjudicate the dispute effectively I pass following order.

Order

1. Miscellaneous Application No. 01/2018 is allowed subject to cost of Rs. 1000/- to be paid in Government Treasury within one month from the date of order, failing the compliance the order automatically be set aside.

Place : Thane

Date : 06 / 08 / 2018

(Mrs. M. A. Sali)

Judge

Co-operative Court, Thane