

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2237 OF 2015

Alok S. Singh .. Petitioner
vs.
M/s. Golden Dairy Farm & Ors. .. Respondents

Mr. P. S. Dani – Senior Advocate i/b. Mr. R. A. Tekale for Petitioner.
Ms Sharmila Deshmukh for Respondent Nos. 1 and 2.
Mr. Dinesh Kumar Seth for Respondent No. 3.
Ms Aparna Vhatkar – AGP for Respondent Nos. 6 to 8.

CORAM : M. S. SONAK, J.
DATE: 03 MARCH 2015

P.C. :-

- 1] **Not on Board. Upon production, taken on board.**
- 2] Rule. With the consent of and at the request of the learned counsels for the parties, Rule is made returnable forthwith.
- 3] This petition is directed against the order dated 8 July 2014, by which the Sub Divisional Officer (SDO) has condoned the delay in filing of appeal by the respondents.
- 4] The impugned order is merely a noting in the Roznama which says that the delay condonation application was read and in the interest of justice, the delay is condoned.

5] The aforesaid is hardly a satisfactory manner to deal with an application seeking condonation of delay. It is necessary that the contentions of the parties are considered and thereafter a reasoned order is made whilst disposing of application seeking condonation of delay. For this reason alone, the impugned order is set aside.

6] The petitioner states that the petitioner shall file a reply on application seeking condonation of delay within two weeks from today. Thereafter, the SDO to consider and decide the application for condonation of delay after giving a hearing to the parties. Needless to record that the SDO shall deal with the application for condonation of delay on its own merits but dispose of the same by making a speaking order.

7] All parties to act on the basis of an authenticated copy of this order.

8] Rule is made absolute to the aforesaid extent. There shall be no order as to costs.

(M. S. SONAK, J.)