

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

CIVIL APPLICATION NO. 18 OF 2015

IN

FERA APPEAL NO. 22 OF 2008

Shri. A. G. Merchant	}	Applicant
versus		
The Special Director,	}	
Enforcement Directorate	}	Respondent

WITH

CIVIL APPLICATION NO. 19 OF 2015

IN

FERA APPEAL NO. 23 OF 2008

M/s. Trader Wings Limited	}	Applicant
versus		
The Special Director,	}	
Enforcement Directorate	}	Respondent

CIVIL APPLICATION NO. 20 OF 2015

IN

FERA APPEAL NO. 54 OF 2008

M/s. Trader Wings Limited	}	
and Ors.	}	Applicants
versus		
The Special Director,	}	
Enforcement Directorate	}	Respondent

Mr. L. S. Shetty with Mr. Nitish Sabhnani and
Mr. C. A. B. Rebello i/b. M/s. L. S. Shetty and
Associates for the Applicants.

Ms. S. V. Bharucha with Mr. M. S. Bharadwaj
and Mr. Rajinder Kumar for the Respondent.

**CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.**

DATED :- OCTOBER 27, 2015

P.C. :-

Heard Mr. Shetty appearing for the Applicants and Ms.Bharucha for the Union of India. Perused the Civil Applications and the cause shown for the delay.

2) We are satisfied that the cause shown is bonafide and reasonable. The Civil Application is therefore allowed by condoning the delay and setting aside the conditional order.

3) However, the paper book shall be filed on or before 17th November, 2015 with advance copy to the Union of India's Advocate.

4) We have heard both sides on the point of costs. Though Ms. Bharucha would urge that for such enormous delay and the negligence on the part of the Applicants, costs be imposed, we are of the view that once the cause shown is found to be bonafide and reasonable and the Appellants/Applicants cannot be blamed for lapse on the part of the Advocates or their staff, then, in the facts and circumstances peculiar to this case, we are not inclined to impose costs. Hence, no costs.

(B.P.COLABAWALLA, J.)

(S.C.DHARMADHIKARI, J.)