

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2954 OF 2014
IN
FIRST APPEAL (ST) NO.3558 OF 2014

Regional Director, Employees State Insurance Corporation and anr	 Applicant.
V/s.	
M/s Architect Hafeez Contractor	 Respondent

Mr. Shailesh S. Pathak, for the Applicant.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 22ND AUGUST, 2016.

P.C. :

1. This is an application for condonation of 61 days delay in preferring the appeal, challenging the order dated 27th September, 2013, passed by the Judge, Employees State Insurance Court, Mumbai in Application (ESI) no.40 of 2006. As per order passed by this Court, on 5th February, 2016, notice was issued to the respondent and private service of notice by RPAD or hand delivery was permitted.

2. It is submitted by learned counsel for applicant that accordingly applicant served respondent by hand delivery on 15th March, 2016. An affidavit of service to that effect is also filed on record on 23rd March, 2016.

3. However, despite service of notice, respondent has not appeared in the case.
4. In view thereof, for the reasons stated in the application, it is allowed. Delay of 61 days is condoned.
5. Application is disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]