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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.320 OF 2013
WITH
REJECTED CASE NO.280 OF 2014
IN
LETTERS PATENT APPEAL (ST.) NO.8626 OF 2013
IN
WRIT PETITION NO.4110 OF 2007

Shri Sanatan Janardhan Patil ... Applicant

Vs.

Maharashtra State Road Transport Corporation ... Respondent

Mr. Prashant Bhavake for the Applicant.

CORAM : A.S. OKA &
ANUJA PRABHUDESSAI, JJ.

DATE : 30th NOVEMBER, 2016

PC.

1. Heard the learned counsel appearing for the Applicant. Notice has been served to the Respondents. None appears for the Respondent. There is a delay of 4 years and 127 days in preferring Letters Patent Appeal for challenging an order passed in Writ Petition by the learned Single Judge. Our attention is invited to the averments made in paragraph 2 of the application in which the Applicant has stated that the Writ Petition filed by the Respondents in the year 2007

was admitted on 30th November, 2007. He has stated that considering the pendency of old matters in this Court, his Advocate had informed him that the Petition is not likely to be heard for at least 5 to 6 years. The Applicant has stated that therefore he did not keep the track of the Writ Petition. There is a specific statement that he became aware for the first time on 22th March, 2012 about the impugned order while checking the status of the Writ Petition with the help of his son on the website of this Court. His case is that the his Advocate did not inform him about the impugned order. The statement made in paragraph 3 of the impugned order has not been controverted by the Respondent. Hence, sufficient cause is made out for condonation of delay. Rule is made absolute in terms of prayer clause (b). Place the Letters Patent Appeal on the date fixed as per CMIS.

(ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)