

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION
WRIT PETITION NO. 11128 OF 2017

Vishweshwar Education Society and another ... Petitioners

Versus

Dr. Sapna Modi and another ... Respondents

Mr. Y.C. Naidu alongwith Ishan Srivastava, Gurdeep Salgar and Y.A. Bhatia for the
Petitioners.

Mr. C.R. Sadashivan for the Respondent No.1.

CORAM : S.J. KATHAWALLA, J.
DATED : 2nd NOVEMBER, 2017

P.C.:

1. Heard the Learned Advocates appearing for the Petitioners and Respondent
No.1 and the following order is passed, by consent :-

(a) The Order passed by the Mumbai University and College Tribunal at Mumbai
(Tribunal) dated 9th June, 2017 is set aside.

(b) The Tribunal shall hear the Application dated 23rd June, 2016 in Appeal No. 35
of 2016 seeking condonation of delay of 32 days in filing the Appeal only on ground
(D) set out in paragraph 4 (page 2) of the impugned order, which reads thus :

*"(D) The Appellant's both parents were also unwell and undergoing
treatment compelling her to attend to them on priority".*

(c) The Tribunal shall dispose of the Application dated 23rd June, 2016 in Appeal
No. 35 of 2016 seeking condonation of delay within a period of four weeks from the

date of this order.

- (d) The Respondent No.1 shall be allowed to produce the medical records of the treatment received by her mother at Mahatma Gandhi Memorial Hospital.
 - (e) The Petitioner too shall be at liberty to request the Learned Member of the Tribunal to call for the papers pertaining to the illness of the mother of the Respondent No.1 from Mahatma Gandhi Memorial Hospital.
 - (f) Parties and/or their Advocates shall appear before the Tribunal on 6th November, 2017 at 11.00 a.m. and obtain necessary directions in the matter.
 - (g) All contentions of the parties are kept open.
 - (h) All concerned to act on an ordinary copy of this order duly authenticated by the Personal Assistant of this Court.
2. The above Writ Petition is accordingly disposed off.

(S.J.KATHAWALLA, J.)