

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO. 648 OF 2018

AND

MISC. CIVIL APPLN. ST. NO. 4684 OF 2018

AND

FIRST APPEAL ST. NO. 18219 OF 2017

(GAJANAN NATHURAM GABHANE..VS.. EMPLOYEES STATE INSURANCE CORPN. & OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.D.Raut, Advocate for Appellant.

CORAM : Z.A.HAQ, J.

DATED : APRIL 20, 2018.

CIVIL APPLN.NO.648/2018.

This application is filed by the applicant praying that delay in filing the revision under Chapter XVII Rule 20 of the Bombay High Court Appellate Side Rules be condoned.

The applicant/ appellant filed appeal under Section 82 of the Employees' State Insurance Act, 1948. As there was delay in filing the appeal, an application praying for condonation of delay in filing appeal was filed. Before notices could be issued, the application praying for condonation of delay in filing the appeal came to be dismissed for not removing the office objections. Therefore, without issuing notice to the non-applicants/ respondents and accepting the explanation given in the application, delay of 43 days in filing the Revision/ Miscellaneous Civil Application is condoned.

The civil application is **allowed** accordingly.

M.C.A.ST.NO. 4684/2018

For the same reasons, as above, the order passed by the learned Registrar (Judicial) on 12th December, 2017 is set aside and First Appeal is restored.

The Miscellaneous Civil Application is **allowed** accordingly.

CIVIL APPLN.ST.NO.18221/2017

Issue notice to the non-applicants/respondents.

The non-applicants may file their reply/ affidavit till 13th July, 2018.

List the application for further consideration on **27th July, 2018.**

Ms Mrunal Barabde, A.G.P. waives notice for the non-applicant/respondent No.3.

The learned advocate for the applicant/ appellant states that copy of memo of appeal will also be supplied to be served on the non-applicants/ respondents along with this civil application.

JUDGE