

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO.11614 OF 2018
IN AOST/25078/2018

THE STATE OF MAHARASHTRA THROUGH FOOD SAFETY OFFICER
PRADNYA P SURSE, JALNA

VERSUS

PANKAJ GUPTA, NOMINEE, ADANI WILMAR LIMITED, KOTA,
RAJSTHAN AND ANOTHER

...

AGP for the Applicant/ State : Shri S.R.Yadav.
Advocate for Respondents 1 and 2 : Shri Dixit Sushant V..

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 18th January, 2019

Per Court:

1 The learned Advocate for the Respondents strenuously opposes the condonation of delay of 35 days on the ground that if the Appeal from Order is not maintainable, no purpose would be served by condoning the delay.

2 The learned AGP submits that until the delay is condoned, the Appeal from Order cannot be taken up. Nevertheless, he submits that the Appeal from Order is maintainable and he can make his submissions.

3 In view of the above, this Civil Application is allowed and delay of 35 days is condoned.

4 Subject to the removal of all office objections, the Appeal

from Order be registered and be listed on 12.02.2019 in the urgent admissions category.

5 Needless to state, on the next date, the issue of maintainability of the Appeal from Order would be considered.

kps

(RAVINDRA V. GHUGE, J.)