

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Civil Application No.2516/2017
with
First Appeal (ST) No.1187/2017

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr. P. M. Palshikar for the Applicant
Mr. Sunil V. Patil for Respondent No.1.

CORAM: K.K.TATED, J.
DATED : AUGUST 21, 2019

P.C.

1 Heard. The learned counsel for the Applicant submits that the office has wrongly shown 6 years and 14 days delay in filing the First Appeal. He submits that in fact there is 14 days delay. He submits that the Employees Insurance Court, Nasik passed the impugned judgment and award on 26.10.2016 in application (ESI) No.3/2014. Thereafter they filed the present First Appeal on 10.01.2017. Hence, there is delay of 14 days only. He submits that in the interest of justice, this Hon'ble Court be pleased to condone the delay and matter be heard on merits.

2 Considering the submissions made by

the learned counsel for the Applicant and the averments made in the Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

4 Hence, following order is passed:

a. The Civil Application is allowed in terms of prayer clause (a), which reads thus:

“(a) That this Hon’ble Court may be pleased to condone the delay of 14 days in filing the appeal.”

b. The Civil Application stands disposed of accordingly.

c. No order as to costs.

d. The Appellant / Applicant is directed to remove all office objections on or before 20.09.2019, failing which the First Appeal shall stand dismissed without further reference to the court.

e. If all Office objections are removed within stipulated time as stated hereinabove, Office is directed to place the matter on board on 30.09.2019.

(K.K.TATED, J.)