

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

**WRIT PETITION NO. 6119/2019**

Khadi Village Industries Commission  
..VS..  
Sarva Seva Sangha

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

Court's or Judge's orders

-----  
Shri A.D. Sonak, Advocate for the petitioner

**CORAM : Z.A.HAQ, J.**  
**DATED : 04/09/2019**

Heard.

By the impugned order, the learned trial Judge has condoned the delay of 200 days in filing the application for setting aside the order by which the civil suit was dismissed in default.

According to the petitioner – defendant, the explanation given by the plaintiff for the delay in filing the application has not been substantiated by producing/leading evidence.

After going through the impugned order, I find that the learned trial Judge has appreciated the evidence on record, has taken a plausible view and has exercised discretion in favour of the plaintiff.

I see no reason to interfere with the exercise of discretion by the learned trial Judge.

Hence, the writ petition is **dismissed**. No costs.

**JUDGE**