

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.7146 OF 2015
IN
REVIEW APPLICATION ST. NO. 15645 OF 2015

M/S. OASIS DISTILLERIES LIMITED, INDORE

VERSUS

SAMARTH SAHAKARI SAKHAR KARKHANA LTD.,
JALNA REPRESENTED BY SHRI. V.B PATIL
MANAGING DIRECTOR

Mr Yogesh Deshmukh, Advocate for Applicant
Mr N.B. Garje, Advocate holding for
Mr V.D. Salunke, Advocate for Respondent No. 1

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 17th JULY, 2021

PER COURT :

1. It is an application for condonation of delay moved by the applicant by taking aid of Section 5 of the Limitation Act, 1963.
2. Heard Mr Yogesh Deshmukh, learned counsel for the applicant and Mr N.B. Garje, learned counsel holding for Mr V.D. Salunke, learned counsel for respondent No.1.
3. There seems to be delay of 267 days in preferring the review application. Mr Garje, learned counsel for respondent No. 1 strongly opposed to condone the delay. He submits that the delay is not satisfactorily explained and, therefore, application for condonation of delay needs to be dismissed.

4. On the other hand, Mr Deshmukh, learned counsel for the applicant submits that delay is satisfactorily explained and in order to decide the review application on its own merits, it is necessary to condone the delay.

5. Having regard to the submissions of both the sides and for the reasons stated in the application for condonation of delay, more particularly para Nos. 4 to 6, it appears that applicant has satisfactorily explained the delay.

6. In order to decide the review application on its own merits, it is necessary to condone the delay subject to payment of certain costs. Hence, the following order :-

ORDER

(I) The application for condonation of delay moved by the applicant under Section 5 of the Limitation Act, 1963 is hereby allowed subject to payment of costs of Rs. 2,000/- (Rupees Two Thousand Only) to the High Court Legal Services Sub-Committee, Aurangabad within a period of one month from today.

(II) After payment of costs of Rs.2,000/- as stated above, review application be registered after due scrutiny, and it be placed for admission.

[SHRIKANT D. KULKARNI, J.]

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