

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

914 CIVIL APPLICATION NO.13517 OF 2018
IN FAST/32372/2018

MINA BHAHIRUNATH MALI
VERSUS
SUDARSHAN MILK AND AGRO PRODUCTS PVT. LTD.,
AHMEDNAGAR AND ANOTHER

...

Advocate for Applicant : Mr. Abhijit C. Darandale.

Advocate for Respondent No.1: Mr. Mohit Deoda, h/f Mr. A. D. Ostwal.

Advocate for Respondent No.2 : Mr. Aniruddha S. Usmanpurkar.

...

CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 07th January, 2022.

P.C.:

. It is an application for condonation of delay moved by the applicant. There seems to be delay of 216 days in preferring the appeal.

2 Heard Mr. Darandale, learned counsel for applicant, Mr. Mohit Deoda, holding for Mr. Ostwal, learned counsel for respondent No.1 and Mr. Usmanpurkar, learned counsel for respondent No.2 on the point of condonation of delay.

3 Mr. Deoda, holding for Mr. Ostwal, learned counsel for respondent No.1 and Mr. Usmanpurkar, learned counsel for respondent No.2 strongly opposed to condone the delay. Both of them

submit that no sufficient reasons are assigned by the applicant for condonation of delay. The delay is inordinate.

4 The applicant has assigned the reasons for condonation of delay in paragraphs 2 and 3. It is the case of 50% permanent disability. The applicant could not arrange for the funds and ultimately it resulted in delay. By looking to the nature of dispute and volume of delay and the reasons given in the application for condonation of delay paragraphs 2 and 3, it is necessary to condone the delay for the interest of justice. Hence, the following order is passed:

ORDER

- I. The application for condonation of delay is hereby allowed in terms of prayer clause (B).
- II. The Registry to make scrutiny of the appeal as per the procedure and it be numbered and place before the Court for admission.
- III. The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]