

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 4564 OF 2016
IN
FIRST APPEAL (ST.) NO. 14470 OF 2016**

Shivaji University and anr.

.... Applicants

v/s.

The Regional Director,
Employees State Insurance Corporation,
Pune and ors.

.... Respondents

Mr. Vikram Walawalkar for the Applicants.

Mr. Shailesh S. Pathak for R.Nos.1 and 2 – ESIC.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 29th JULY, 2022.

P. C. :-

. By this Application, the Applicants seek to condone the delay of 02 years and 05 days in filing the Appeal under section 82 of the Employees State Insurance Act.

2. Heard Mr. Walawalkar, learned counsel for the Applicants and Mr. S.S. Pathak, learned counsel for the Respondent Nos.1 and 2 – ESIC. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The records reveal that the Applicants herein had challenged the order in Writ Petition No.711/2016 which was withdrawn on 18/02/2016. Learned counsel for the Applicants states that he was not aware of the statutory remedy of the Appeal and hence, filed the writ petition. He has stated that in the connected First Appeal (St.) No.10821 of 2017, the delay stands condoned. I have gone through the records and on perusing the order dated 19/01/2022, delay needs to be condoned. Hence, the delay is condoned. Appeal is ordered to be registered after removal of office objections, if any.

4. Civil Application stands disposed of.

**PREETI H
JAYANI**

(SMT. ANUJA PRABHUDESSAI, J.)

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PREETI H JAYANI
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