

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

WRIT PETITION NO.862 OF 2018

Vishwa Adarsh Education Society, Nagpur through its Secretary, Dharmendra s/o
Vasudeo Mandlik

Vs.

Gulab s/o Manik Mandlik and others

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

Court's or Judge's orders

Mr. S. Raisuddin, Advocate for petitioner.

Mr. J. M. Gandhi, Advocate for respondent nos.1 to 7.

CORAM : AVINASH G. GHAROTE, J.
DATE : 25/07/2022

1. The petition challenges the order dated 21.12.2016, whereby the application filed by the petitioner seeking condonation of delay in filing appeal against the order challenging rejection of the plaint, has been rejected. The delay is of 132 days. Though Mr. Gandhi, learned counsel for the respondent nos.1 to 7, vehemently opposes the same, however considering the quantum of delay and the reasons mentioned in the application and accepting the same and further considering that the challenge to the rejection of plaint will have to be considered on its own merit, the impugned order is hereby quashed and set aside and the application for condonation of delay is allowed.

2. The petition is accordingly allowed in above terms. No costs.

JUDGE