

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.7031 OF 2022
IN FAST/8825/2022**

THE UNION OF INDIA, THR THE GENERAL
MANAGER, CENTRAL RAILWAY, MUMBAI AND ORS
VS
PARAJI DHARIBA PACHPUTE AND ORS

...

Mr. B. M. Dhanure, Advocate for the Applicants.

Mr. D. A. Bide, Advocate for the Respondent Nos.1 to 3.

...

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 11th AUGUST, 2023.

PER COURT:-

1. By this application, the applicants seek to condone the delay of 795 days caused in filing the appeal.

2. The learned Advocate appearing for the applicants referring to the contentions raised in the application submits that the delay is occasioned on account of administrative reasons. He would submit that the time consumed for obtaining various approvals at different levels. He submits that the delay is not intentional or the applicants have not derived any advantage by making such delay.

3. The contentions opposed by the respondents on the ground that the reasons as stated in the application does not constitute sufficient cause.

4. Having considered the submissions advanced, it is apparent that there is procedure set before filing appeal for the

officers of the applicants. The pleadings in the application show that the delay is occasioned on account of getting procedural compliance. The delay is not deliberate or intentional. The contentions in application are not controverted by filing reply/counter by the respondents. Hence, there is no impediment in accepting the explanation, which is sufficient to constitute valid explanation for condonation of delay. Hence, the following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 795 days caused in filing the appeal is condoned.
- c. Appeal be registered on removal of office objections, if any.
- d. Civil Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE