

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

CIVIL APPLICATION (CAO) NO.438 OF 2023
AND
MISC. CIVIL APPLICATION ST. NO.3646 OF 2023
IN
WRIT PETITION NO. 2526 OF 2006 (D)

(ISHWAR MAHADEORAO BHOYAR & OTH...VS..STATE OF MAH. THR. DAIRY DEV. DEPT. &
OTH.)

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

Court's or Judge's orders

Shri S.I.Khan, Adv.a/w Ms Rajeshree Evnate, Adv. for Applicants/Petitioners.
Ms Shamsi Haider, A.G.P. for Respondent Nos. 1 to 3.

CORAM : ANIL S. KILOR, J.
DATED : JULY 06, 2023.

1. Heard.
2. This is an application for condonation of 2858 days' delay in filing an application for review.
3. Admittedly, the delay is inordinate. However, the learned counsel for the applicants submits that the matter pertains to regularization and similarly situated employees have been regularized by this Court in one of the matters by reviewing judgment passed in Writ Petition No. 3934 of 2008, recently on 28/06/2023 and before that the application for review was allowed on 11/08/2022. He, therefore, submits that, on the ground of delay, not considering the case of the applicants in light of the fact that the similarly situated employees have been given benefit of regularization, would cause great injustice to the applicants.

4. On the other hand, the learned A.G.P. is strongly opposing the application on the ground that there is inordinate delay and as sufficient reasons have not shown, the same should not be allowed.

5. Considering the sufficient reasons stated in the application for causing delay and the background in which the application came to be filed, I am of the opinion that an opportunity to put-up the case on merits needs to be given by condoning the delay.

6. Accordingly, the delay is condoned. The Civil Application is **disposed of** accordingly. No costs.

JUDGE

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