



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 7723 OF 2023
IN FAST/11617/2023

SHAMSUNDAR BALKISHAN INDIANI AND ORS
VERSUS
UNION OF INDIA THROUGH THE GENERAL MANAGER CENTRAL
RAILWAY, MUMBAI AND ORS

...
Advocate for Applicant : Mr. Vivek V. Bhavthankar
Standing Counsel for Respondents No.1 and 2 : Mr. Bhushan Kulkarni
Advocate for Respondent No.3 : Mr. A. S. Shinde
...

CORAM : S. G. MEHARE, J.

DATE : 04-03-2024

PER COURT :-

1. Heard the learned counsels for the parties.
2. This is an application for condonation of 50 days delay in preferring the appeal. The reasons for delay have been mentioned in the application.
3. Learned counsel for respondents No.1 and 2 has strongly opposed the application. He submits that grounds mentioned in the application are not plausible. The appellant was restrained from preferring the appeal in time. Therefore, the application may be rejected. Similar is the argument of learned A.G.P. for respondent No.3.

4. Perused the application.

5. For the reasons mentioned in the application, the Court is of the view that the application deserves to be allowed. Hence, the following order is passed;

ORDER

- i) The application is allowed.
- ii) Delay caused in preferring the appeal stands condoned.
- iii) Office to register the appeal.
- iv) Learned standing counsel waives service of notice for respondents No.1 and 2 and learned A.G.P. waives service of notice for respondent No.3.
- v) Call R & P.
- vi) List the appeal in due course.

(S. G. MEHARE)
JUDGE

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