

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1339 OF 2024

IN

FIRST APPEAL (ST) NO.11604 OF 2023

M/s. Devaraya Enterprises

: Applicant/Appellant

Vs.

The Deputy Director,

Employees State Insurance Corporation,

Panchadeep Bhaven, Mumbai & Anr.

: Respondents

Adv. Aumkar Joshi, for the Applicant/Appellant.

Adv. Shailesh S. Pathak, for the Respondent/ESIC.

CORAM : KISHORE C. SANT, J.

DATE : 24TH APRIL, 2024

PC. :

1. Heard the parties.

2. This Application is for condonation of delay caused in filing the Appeal. Delay is of 131 days. Learned Advocate for the Applicant vehemently argued that the delay is not intentional and is only accidental. For the reasons stated in para 13 & 16 of the Interim Application, delay needs to be condoned.

3. Learned Advocate for the Respondents vehemently opposes the Application. He submits that there is no sufficient cause made out showing

as to how the Appellant was prevented from approaching this Hon'ble Court.

4. Considering the nature of the dispute and that delay is of 131 days, this Court inclined to allow the Application.

5. The Application is therefore allowed. Delay of 131 days caused in Appeal is condoned.

6. Application stands disposed of.

7. Office to register First Appeal.

(KISHORE C. SANT, J.)