

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1107 OF 2024
(FOR CONDONATION OF DELAY)

IN

ARBITRATION APPEAL (ST) NO. 33963 OF 2023

WITH

INTERIM APPLICATION NO. 1108 OF 2024

IN

ARBITRATION APPEAL (ST) NO. 33963 OF 2023

Konkan Railway Corporation Ltd & Ors

...Applicants

Versus

M/s Pan India Engineering & Construction Co Pvt
Ltd

...Respondent

Mr. Asha Bhambwani, Advocate for the Applicants.

Mr. Ganesh Kamath, Advocate for Respondent, Mobile No:
8451995657.

CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.

DATE : MARCH 06, 2024

PC :

1. The above Interim Application is filed seeking a condonation of delay of 57 days in filing the above Appeal. The learned Advocate, Mr. Kamath has appeared today on behalf of the Respondent and has undertaken to file his Vakalatnama within a week from today. The said undertaking is accepted. He vehemently opposed the above Interim

Application on the ground that no sufficient cause is made out for condoning of delay. Having gone through the Application for condonation of delay, we are satisfied that sufficient cause is made out for condoning the delay of 57 days.

2. In these circumstances, the above Interim Application is allowed in terms of prayer clause (a) which reads thus:

“a) This Hon’ble Court be pleased to condone the delay of 57 days in filing the present Appeal application.”

3. Now that the delay is condoned, the Appellant/Applicant shall remove all other office objections within a period of four weeks from today, failing which the above Appeal shall stand dismissed without reference to the Court.

4. The above Interim Application is disposed of in the aforesaid terms. However, there shall be no order as to costs.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.]

[B. P. COLABAWALLA, J.]