



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

CIVIL APPLICATION [CAF] NO.3181 OF 2024

IN

FIRST APPEAL ST. NO.16541 OF 2024

[Mohammad Shafique s/o Mohammad Nuroddin .vs. Union of India, Through General Manager,
Western Railway, Church Gate, Mumbai]

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

Court's or Judge's orders

Ms. Priya A. Thakare, Advocate for Appellant.
Mr. C.J. Dhumne, Advocate for Respondent.

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CORAM : SANJAY A. DESHMUKH, J.
DATE : 6th DECEMBER, 2024.

1. This is an application for condonation of delay of 2411 days caused for filing the first appeal.
2. Perused the application.
3. Heard the learned advocate for the applicant.
4. Learned advocate for the applicant pointed out that the applicant is poor and having no source of income and, therefore, he could not engage the advocate. There was also no communication between his earlier advocate and, therefore, the delay is caused. The delay is not caused deliberately.
5. The learned advocate for the respondent strongly objected the application and submitted that there are no sufficient ground to allow the application. He submitted that there is huge delay caused for filing the application. It is last prayed to reject the application.
6. On perusal of this application, it appears that because of no communication between the applicant and his earlier advocate, the delay is caused. The applicant is poor and having no source of income. The delay is not caused deliberately.

Hence, the application deserves to be allowed in the interest of justice without imposing costs.

7. The application is allowed and disposed of. The delay is hereby condoned.

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1. Heard.
2. **Admit.**
3. Issue notice to the respondent, returnable after six weeks.
4. Mr. C.J. Dhumne, learned advocate waives notice for the respondent.
5. Call for record and proceedings.
6. Filing of paper book is dispensed with, subject to condition to supply copies of the depositions to the respondent.
7. Stand over after six weeks.

(SANJAY A. DESHMUKH, J.)