

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4103 OF 2015
IN
FIRST APPEAL (ST) NO.31427 OF 2014

The Regional Director, Employees' State Insurance
Corporation and Ors. ... Applicants.

Versus

Mina Spray Painting Works ... Respondent.

Mr. Sujeet Kurup for the Applicants.

Coram : Sharmila U. Deshmukh, J.

Date : March 05, 2025

P. C. :

1. Civil Application has been preferred seeking condonation of delay of 144 days caused in preferring the present Appeal.
2. Office noting indicates that the notice has been duly served upon the Respondent.
3. Learned counsel appearing for the Applicant submits that the impugned judgment came to be passed on 13th March, 2014 and thereafter, the certified copy was ready on 19th May, 2014. He would further submit that the Corporation sought legal opinion which was received in the month of June 2014 and after obtaining sanction, the First Appeal has been preferred and hence, there is delay of 144 days caused in preferring the Appeal.

4. The reason which has been set forth in the Application for condonation of delay is that the legal advise was sought before the decision was taken for challenging the impugned judgment before the High Court. The Applicant is the State Insurance Corporation and it cannot be doubted that before challenge is raised in the higher forum, legal opinion is taken before filing of Appeal. This is normal practice adopted by Corporations. The delay of 144 days has been sufficiently explained and therefore, stands condoned. Civil Application stands allowed.
5. List the First Appeal for “admission” on **20th March, 2025**.

[Sharmila U. Deshmukh, J.]