VINA ARVIND KHADPE
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Date: 2025.10.14 15:17:01 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.3729 OF 2025
IN
FIRST APPEAL (ST) NO.32633 OF 2025

M/s. Athani Farmers Sugar Factory Ltd. .. Applicant / Appellant

Versus

Union of India .. Respondent

Mr. Mayank Tripathi, *i/b. Mr. Bhushan Walimbe, Advocates for the Applicant / Appellant.*

CORAM: B. P. COLABAWALLA &
AMIT S. JAMSANDEKAR, JJ.
DATE: OCTOBER 10, 2025

P. C.

1. By our Order dated 25th July, 2025, we have *interalia* permitted the advocate appearing for the Applicant to serve the Respondent privately, as more particularly set out in the said order. In the record, we found that the Respondent had been served privately only on 17th September, 2025, which was after the returnable date. We, therefore, permitted the Applicant/Appellant to serve the Respondent with the papers and proceedings in the above Interim Application as well as in the First Appeal, along with a copy of that order, returnable today.

2. Today, the learned advocate appearing on behalf of the Applicant/Appellant has tendered an affidavit of service dated 25th September, 2025. The said affidavit shows that service has been completed on the Respondent on 24th September, 2025. Despite service, none have appeared on behalf of the Respondent. Hence, we are satisfied that service has been duly completed.

3. The above Interim Application is filed seeking condonation of delay of 39 days in filing the above Appeal.

4. Having heard the learned advocate appearing on behalf of the Applicant / Appellant, and for the reasons stated in the above Interim Application, we are satisfied with the explanation for the day.

5. In these circumstances, the delay in filing the above Appeal is hereby condoned.

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

7. The above Interim Application is disposed of in the aforesaid terms. There shall be no order as to costs.

8. 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.

[AMIT S. JAMSANDEKAR , J.] **[B. P. COLABAWALLA, J.]**