

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.16084 OF 2024
[FOR DELAY CONDONATION]

WITH

INTERIM APPLICATION NO.16085 OF 2024
[FOR STAY]

IN

FIRST APPEAL (ST) NO.35575 OF 2024

The Shipping Corporation of India Limited ...Applicant

In the matter between:-

The Shipping Corporation of India Limited ...Appellant

V/s.

Muthu Ramesh Tholar
W/o Late Ramesh S. Tholar ...Respondent

Mr.Hafeezur Rahman:-	Advocate for Applicant/ Appellant.
Mr.Aniket Poojari (Through V.C.):	Advocate for Respondent.

CORAM : S. M. MODAK, J.

DATE : 17th SEPTEMBER 2025

P. C. :-

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1. Heard learned Advocate for the Applicant / Original Opposite Party. They intend to challenge the judgment given by the learned Labour Court as per the Employees' Compensation Act dated 28th

November 2023. They could not prefer the Appeal in time. There is a delay of 315 days. I have read the Affidavit and Additional Affidavit. It is true the Respondent has been granted time to file reply since 3rd April 2025, however till today reply is not filed. Learned Advocate for Respondent opposed the delay and according to him, the reasons mentioned in the pleadings are not sufficient.

2. Learned Advocate for the Applicant invited my attention to the relevant paragraphs from the Application and the Affidavits. I am satisfied that there is sufficient reasons. In view of that, following order is passed:-

ORDER

- (i) **The delay is condoned.**
- (ii) The Application is allowed in terms of prayer clauses (a) and (b).
- (iii) **The Interim Application is disposed of accordingly.**
- (iv) The ad-interim relief granted earlier to continue in future always.

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3. Let both the parties can advance their submissions on the point of framing of substantial questions of law. If the Respondent wants, they can place reliance on documents which are part of the trial Court record.

4. Stand over to **15th October 2025.**

[S. M. MODAK, J.]