

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3994 OF 2025
IN
FEMA (L)APPEAL NO. 8398 OF 2025

SMITA
RAJNIKANT
JOSHI

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Alliance and Leicester Ltd.,

.. Applicant/Appellant.

Versus

Enforcement Directorate

.. Respondents.

Adv. Pulkit Sharma with Adv. Sagar Vichare i/b. Adv. Abhishek Adke,
for the Applicant/Appellant.
Adv. Anil Yadav, for Respondent-ED.

CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONTWALLA, JJ.
DATE: APRIL 09, 2025

P. C.

1. The above Interim Application is filed seeking a condonation of delay in filing the above Appeal. Though, in the prayer clause, it is stated that there is a delay of 64 days, it has been pointed out to us that the delay in fact is only of 38 days.

2. The impugned order is dated 4th July, 2024. This order was communicated to the Appellant/ Applicant vide letter dated 24th July, 2024, and which was received by the Appellant/ Applicant on 30th July, 2024. The above Appeal was lodged on 5th November, 2024 and, therefore, there is a delay of 38 days. Even if one were to go by the date of the letter when the

order was communicated to the Appellant/ Applicant, the delay would be of 44-45 days and which is within the extended period of 60 days as contemplated under Section 35 of the Foreign Exchange Management Act, 1999.

3. Considering these facts, even though the Respondent vehemently opposed the application for condonation of delay, we are inclined to condone the same. In these circumstances, the delay in filing the above Appeal is hereby condoned.

4. Now that the delay is condoned, all other office objections in the above Appeal, if any, shall be removed by the Advocate for the Appellant within a period of two weeks from today, failing which, the above Appeal shall stand dismissed without further reference to the Court.

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

6. 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.

[FIRDOSH P. POONIWALLA, J.] [B. P. COLABAWALLA, J.]