

SUPREME COURT OF INDIA

Nilkanth Kawduji Shivankar

Vs.

Shivshakti Sikshan Sanstha & Ors.

C.A.No.1354 of 2008

(Tarun Chatterjee and Harjit Singh Bedi,JJ.)

18.02.2008

ORDER

Civil Appeal No(s).1354 of 2008 (@ SLP(C)No.12823/2006)

1. Leave granted.

2. This is an appeal from an order dated 23rd of November, 2005 passed by the High Court of Judicature at Bombay, Nagpur Bench, Nagpur, rejecting an application for condonation of delay of 11 days in filing the appeal. Having heard the learned counsel for the parties and after going through the statements made in the application for condonation of delay, we are satisfied with the statements made in the application for condonation of delay which constitute sufficient cause for condoning the delay in filing the appeal. We, therefore, set aside the impugned order rejecting the application for condonation of delay.

3. Accordingly the application for condonation of delay is allowed. The Appeal is restored to its original file. The High Court is now requested to dispose of the appeal at an early date, preferably within three months from the date of communication of this order to the High Court, without granting any unnecessary adjournment to either of the parties.

4. The Appeal is allowed accordingly with no order as to costs.