

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s).1354 OF 2008
(@ SLP(C)NO.12823/2006)

Nilkanth Kawduji Shivankar ...Appellant

VERSUS

Shivshakti Sikshan Sanstha & Ors. ...Respondents

ORDER

Leave granted.

This is an appeal from an order dated 23 rd 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.

contd...2/-

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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.

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

.....J.
(TARUN CHATTERJEE)

.....J.
(HARJIT SINGH BEDI)

NEW DELHI,
February 18, 2008.
ITEM NO.42

COURT NO.10

SECTION IX

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).12823/2006

(From the judgement and order dated 23/11/2005 in CA No. 626/2005 & LPA
No. 28520/2004 of The HIGH COURT OF BOMBAY AT NAGPUR)

NILKANTH KAWDUJI SHIVANKAR

Petitioner(s)

VERSUS

SHIVSHAKTI SIKSHAN SANSTHA & ORS.

Respondent(s)

(With office report)

Date: 18/02/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE TARUN CHATTERJEE
HON'BLE MR. JUSTICE HARJIT SINGH BEDI

For Petitioner(s) Mr. Naushad Ahmad Khan, Adv.
Ms. Arti Tiwari, Adv.
Mr. R.C. Kaushik, Adv.

For Respondent(s) Mr. Manish Pitale, Adv.
Mr. Chander Shekhar Ashri, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The appeal is allowed with no order as to costs, in terms
of signed order placed on the file.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master

(Signed non-reportable Order is placed on the file)