

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 8116 OF 2014
IN FAST/3700/2014 WITH CA/8118/2014 IN FAST/3717/2014
WITH CA/8124/2014 IN FAST/3708/2014**

**THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
RAMRAO RAOSAHEB MANE**

Mr. S.B. Yawalkar, AGP for applicant/State.

**CORAM : A.M. BADAR, J.
DATED : 05.12.2015**

P.C. :-

1. These are applications for condonation of delay of 682 days in filing First Appeals challenging judgment and award passed by the learned Civil Judge, Senior Division, Nilanga on 02.01.2013 in LAR No. 41 of 2009 between the parties.

2. These Civil Applications were admitted for final hearing by this Court vide order dated 24.09.2014.

3. Heard learned AGP appearing for applicants. According to him, after passing impugned judgment and award by the learned Reference Court, necessary proposal was sent to the Law & Judiciary Department sanctioning

filing of appeal. After necessary sanction, appeals were allotted to the concerned Asstt. Government Pleader for drafting and then it was filed accompanied by present applications. According to the learned A.G.P. delay so occasioned is bonafide and same is sufficiently explained. The learned A.G.P. has further pointed out that despite service, none appeared for non-applicants and the averments made in the applications went unchallenged.

5. Despite service, non-applicants have not appeared and controverted the averments made in the applications. Perusal of the applications shows that delay is explained properly.

6. hence, I hold that the applicants were prevented by sufficient cause in not filing appeals within a period of limitation. Delay is, therefore, condoned. Civil applications are accordingly allowed. First Appeals be registered.

[A.M. BADAR, J.]