

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

CIVIL APPLICATION NO. 9297 OF 2014

IN

FIRST APPEAL ST. NO. 35080 OF 2013

(State of Maharashtra & Ors. Vs. Vithal Nivrutti Khedkar
& Ors.)

C.A. NO. 9299 OF 2014 IN F.A.ST. NO. 35162 OF 2013

C.A. NO. 9301 OF 2014 IN F.A.ST. NO. 35155 OF 2013

C.A. NO. 9303 OF 2014 IN F.A.ST. NO. 35158 OF 2013

C.A. NO. 9305 OF 2014 IN F.A.ST. NO. 35166 OF 2013

Mr. N.B. Patil, Advocate for applicants.

Mr. C.K. Shinde, Advocate for non-applicants.

CORAM : A.M. BADAR, J.

DATED : 05.12.2015

P.C. :-

1. These are applications for condonation of delay in filing appeals challenging judgment and award of the learned Reference Court by which compensation came to be enhanced. Heard learned AGP for applicants. In his submission delay occasioned is bonafide. Conscious decision was required to be taken at various levels for deciding as to whether judgment and award of the learned Reference Court needs to be challenged or not. In that process delay has been occasioned.

2. As against this Mr. Shinde, learned Counsel appearing for non-applicants / Original claimants submits that the delay can be condoned only if the State deposits

entire amount under the award.

3. Perusal of applications reveals that delay is sufficiently explained. Averments in applications are not controverted. Hence, Civil Applications are allowed. Delay in filing appeals is condoned. First Appeals be registered.

[A.M. BADAR,J.]