

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.4391 OF 2013
IN
FIRST APPEAL (ST) NO.6557 OF 2013**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.T.J.Mendon for the applicant

Mr.D.S.Joshi for the respondent no.2

CORAM : K.K.TATED, J.
DATED : 7TH JANUARY, 2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 Though respondent no.1 is duly served, no one appeared on behalf of him when the matter was called out.
- 3 This application is preferred by original claimant for condonation of 89 days delay in filing First Appeal challenging the judgment and award dated 18th August, 2012 passed by Commissioner for Workmen's Compensation, 4th Labour Court, Thane in Application (WCA) No.330/C-76/2009.
- 4 Considering the submissions made by the learned counsel for the Applicant and the

averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

- a) Delay in preferring the First Appeal is condoned.
- b) Civil Application is disposed of accordingly.

(K.K.TATED, J.)