

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

CA NO.2678/2016

**1018 CIVIL APPLICATION NO. 2678 OF 2016
IN FAST/2548/2016**

SHAIKH JILANI SHAIKH MITHUMIYA
VERSUS
M.S.R.T.C. THR ITS DIVISIOAL CONTROLLER, NANDED

...
Advocate for Applicant : Mr.Zia Ul Mustafa
Smt.Reddy Ranjana D., Adv., for respondent/sole.

...
CORAM : P.R. BORA, J.
Dated: July 22, 2016
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PER COURT :-

1. Heard learned Counsel appearing for the applicant and learned Counsel appearing for the respondent.

2. Delay of 289 days has occurred in filing the present appeal as per the contentions of the applicant. According to the submission made by the learned Counsel for the respondent, delay caused is of 319 days. Learned Counsel for the respondent has opposed for condonation of delay stating that the reasons which are assigned for occurrence of the delay are not at all just and sufficient and on such grounds, the delay cannot be condoned.

3. After having considered the submissions advanced by the learned Counsel and on considering the

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reasons stated in the application for occurrence of the delay and having further considered the objections raised by the applicant in exception to the impugned award, I deem it appropriate to condone the delay which has occasioned in filing the present appeal. Hence, the following order:

ORDER

1) The delay occasioned in filing the appeal is condoned. The appeal be registered in accordance with law.

2) In the event applicant succeeds in the appeal, he may not be entitled to claim interest on the enhanced amount of compensation for the period of delay.

Civil Application stands disposed of.

(P.R. BORA, J.)

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