

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

914 CIVIL APPLICATION NO. 6090 OF 2012
IN FAST/11476/2012 WITH CA/6092/2012 IN
FAST/11476/2012 WITH CA/6094/2012 IN
FAST/11481/2012 WITH CA/6096/2012 IN
FAST/11481/2012

THE STATE OF MAH AND ANR
VERSUS
VISHWANATH LIMBAJI MURME, DIED THR. L.RS. SUBHASH
ANDORS

...

915 CIVIL APPLICATION NO. 13697 OF 2012
IN FAST/27131/2012 WITH CA/13698/2012 IN
FAST/27131/2012

THE STATE OF MAH AND ORS
VERSUS
BABU SHRIMANT BODAKE, DIED THR. L.RS. CHAMAKBAI
AND ORS

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Advocate for Applicants : Mr. G.O.Wattamwar and
Mr. SP Deshmukh, AGPs (in respective matters);
Mr. Patil Laxmikant C. Adv For Resp 1 To 4.

CORAM : P.R.BORA, J.

DATE : 5th October, 2016.

PER COURT :

1) Heard. In these matters, delay of 657
in first two matters and delay of 575 days in
third matter has occurred in filing the present
appeals by the State Government.

2) Learned AGP appearing for the applicant/State submitted that in seeking necessary sanctions from different authorities and making procedural compliances time was consumed and that is the reason the appeals could not be filed within stipulated period of limitation. The learned AGP further submitted that various grounds are raised in exception to the impugned judgment and award and as such, the State needs to be extended with an opportunity to contest the matters on merits. Learned AGP has, therefore, prayed for condoning the delay.

3) Shri Patil, learned Counsel appearing for the original claimant/s in all these matters, has opposed for condoning the delay, stating that the reasons assigned are insufficient for condoning the delay.

4) I have perused the applications for condoning the delay. It appears that the delay has been sufficiently explained. Even otherwise, the matters are to be decided on merits. I am, therefore, inclined to allow the applications. The delay caused in filing the appeals is condoned. The application for condonation of delay are allowed and disposed of. The appeals be registered in accordance with law.

5) Heard the learned Counsel for the parties on Stay applications. Execution of the impugned Award shall stand stayed on condition that the appellant/applicant deposits the entire amount under the Award with the interest accrued thereon in this Court within a period of 12 weeks from the date of this order. CA for stay disposed of.

6) Issue notice to respondents in appeals. Learned Counsel waives service for respondents.

7) Place all these matters for admission after six weeks.

(P.R.BORA)
JUDGE

bdv/