

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

14 CIVIL APPLICATION NO. 11424/2011 IN
FAST/19408/2011
with
CA/11430/2011 IN FAST/19417/2011

THE STATE OF MAHARASHTRA
VERSUS
NARAYAN SHIVRAM KAKADE AND ANR

...

Advocate for Applicant : Mr. RB Bhagat, Asstt.
Govt. Pleader

Mr. Karpe Rahul R. Adv For Resp 1 And 2..

CORAM : P.R.BORA, J.

DATE : 30th March, 2016.

PER COURT :

1) Heard. The appellant/State has filed the present applications seeking condonation of delay of 633 days occasioned in filing the present Appeals against the Judgment and Award dated 9.2.2009 passed by learned Civil Judge, Senior Division, Shrigonda District Ahmednagar in LAR Nos. 648/2003 and 651/2003.

2) It is contended that the delay caused in filing the appeal is not intentional and is

caused because of administrative difficulties and for the reasons beyond the control of the concerned.

3) The learned counsel appearing for Respondent Nos. 1 and 2 has strongly opposed for condoning the delay.

4) Considered the submissions advanced by learned Counsel appearing for the parties. The applicant has sufficiently explained the causes for occurrence of delay. It appears that in complying with the administrative formalities, the time has been consumed and that is the main reason for occurrence of the delay. However, it does not appear to be intentional or deliberate. In the circumstances, I am inclined to allow the application. Hence, following order, -

ORDER

- i) The application is allowed;
- ii) The delay occasioned in filing the appeal is condoned;

iii) The appeals be registered in accordance with law.

(P.R.BORA)
JUDGE

bdv/