

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

**CIVIL APPLICATION NO. 446 OF 2015
IN
FIRST APPEAL (ST) NO. 33951 OF 2014**

State of Maharashtra

..APPLICANT

VERSUS

Ramdas Dhasrath Bhawar and Others

..RESPONDENTS

WITH

CA NO. 448 OF 2015 IN FA(ST) NO. 34024 OF 2014 WITH CA NO. 450 OF 2015 IN FA(ST) NO. 34000 OF 2014 WITH CA NO. 452 OF 2015 IN FA(ST) NO. 34009 OF 2014 WITH CA NO. 454 OF 2015 IN FA(ST) NO. 34018 OF 2014 WITH CA NO. 456 OF 2015 IN FA(ST) NO. 34006 OF 2014 WITH CA NO. 459 OF 2015 IN FA(ST) NO. 34003 OF 2014 WITH CA NO. 461 OF 2015 IN FA(ST) NO. 34015 OF 2014 WITH CA NO. 464 OF 2015 IN FA(ST) NO. 34021 OF 2014 WITH CA NO. 466 OF 2015 IN FA(ST) NO.34012 OF 2014

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Mr. S.R. Yadav, A.G.P. applicant - State.

Mr. C.K. Shinde, Advocate for Respondent Nos.1 and 2.

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CORAM : P.R. BORA, J.

DATED : 01st AUGUST, 2016

ORDER :

. Heard learned A.G.P. and learned Counsel for respondents i.e. original claimants. Delay of 867 days has occurred in filing the present appeals. Learned A.G.P. submitted that in obtaining sanctions at different levels and in compliance with procedure time has been consumed and that

is the reason that the appeals could not be filed within the stipulated period of limitation. Learned A.G.P. further submitted that valid objections are raised by the appellants/applicants in exception to the impugned awards and as such the opportunity needs to be given to the applicants to contest the matter on merits. Learned A.G.P. therefore prays for condoning the delay caused in filing the present appeals.

2. Mr. Shinde, learned Counsel for respondents i.e. original claimants has opposed for condonation of delay stating that inordinate delay is caused and it has not been properly explained. Learned Counsel further submits that appellants have not made any attempt to comply with the impugned award and only with the intention to protract the execution of awards, present appeals are filed.

3. Having considered the objections raised in the memo of appeal in exception to the impugned award, it appears to me that the appellants need to be given an opportunity to contest the appeals on merits. It is true that the delay caused is of a longer period, however, for the reasons stated in the application, I am inclined to condone the delay so caused so as to give an opportunity to the appellant to contest the matter on merits. Hence, the following order:-

O R D E R

- I) Applications are allowed.
- II) Delay caused in filing the aforesaid appeals is condoned.
- III) Appeals be registered in accordance with law.
- IV) Civil applications stand disposed of.

(P.R. BORA, J.)

SSD