

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

**CIVIL APPLICATION NO.2166 OF 2015
IN
FIRST APPEAL (ST) NO.32336 OF 2014**

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.Gaurav Potnis a/w Ms.Vaibhavi Gole i/b Ms.Pallavi Potnis for the applicant

Mr.A.R.Patil, A.G.P. for the respondent nos.1 to 3

CORAM : K.K.TATED, J.
DATED : 19/01/2016

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is preferred claimants for condonation of 1 year 158 days delay in filing First Appeal challenging the judgment and award dated 30.8.2012 passed by Reference Court in L.A.R.No.279 of 2005 for additional compensation.
- 3 The learned counsel for the applicant submits that in the present proceeding, the respondent State deposited enhanced compensation awarded by the Reference Court on 15.9.2014 and same was withdrawn by the claimant on 26.9.2014. After getting compensation, applicant contacted

their advocate and filed the present First Appeal. Hence, there is a delay in preferring the First Appeal.

4 Considering the submissions made by the learned counsel for the Applicant and the averments in Civil Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, Civil Application is allowed in terms of prayer clause (a). Hence, following order is passed:

- a) Delay of 1 year 158 days in filing the First Appeal challenging the judgment and award dated 30.8.2012 passed by Reference Court in L.A.R.No.279 of 2005 is condoned.
- b) Civil application stands disposed off accordingly.

(K.K.TATED, J.)