

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

940 CIVIL APPLICATION NO. 2236 OF 2016
IN FAST/3287/2016

MANGAL GAHININATH PISAL AND OTHERS
VERSUS
GORAKSHNATH SAMPAT GANGAWANE AND OTHERS

...
Advocate for Applicants : Mr. Mohit R. Deshmukh

CORAM : K.K. SONAWANE, J.

DATE : 29th September, 2017.

PER COURT:

1] Heard learned counsel for the applicants. Despite service of notice, none appears for respondent Nos. 1 to 3.

2] Perused the application. Learned Counsel for applicant/s submits that due to official procedure to present an appeal, delay of 81 days has been caused. He submits that delay is not deliberate and intentional but caused owing to administrative compliance. As such, he prayed to condone the delay.

3] I am of the considered opinion that reasonable opportunity needs to be given to the applicants to ventilate their grievances in the appellate forum. Therefore, in view of the absence of respondents and for the reasons stated in the application, I do not find any impediment to allow the applicants to present an appeal by condoning the delay. It would not cause any prejudice or injustice to the respondents. In contrast, it would sub-serve the interest of justice. Hence, the application for condonation of delay deserve to be allowed. In sequel, the applications stand allowed in

terms of prayer clause (B). Delay caused in filing appeal against the impugned judgment and award passed MACT, Beed is hereby condoned. Registry to take requisite steps for registration of appeal and list the matter for further process on 16th November, 2017.

4] Issue notice to respondents returnable on 16th November, 2017.

[K.K. SONAWANE]
JUDGE.

grt/-