

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1017 CIVIL APPLICATION NO. 4949 OF 2017
IN FAST/8340/2017 WITH CA/5086/2017 IN FAST/8340/2017

THE STATE OF MAHARASHTRA AD ORS
VERSUS
RAMRAO BHUJANGRAO KADAM (MRDIKAR)

...
AGP for Applicants : Mr. S.N. Morampalle
Advocate for Respondents : Mr. D.D.Pokharkar
.....

CORAM : V. K. JADHAV, J.
DATED : 7th JULY, 2017

PER COURT:-

1. Heard. Learned AGP for the applicant submits that due to some administrative difficulties the appeal could not be preferred within limitation. The delay is not intentional one and the applicant was prevented from sufficient cause to prefer appeal within limitation. Learned counsel for the respondent-claimants has not seriously resisted the application for condonation of delay.

2. In view of above and for the reasons stated in the civil application, delay caused in filing first appeal is hereby condoned. Civil application is disposed of.

3. In so far as stay application is concerned, pending, the hearing and final disposal of first appeal, the execution, implementation and operation of the impugned judgment and award under appeal is

hereby stayed on the condition that the applicant shall deposit entire amount under award with accrued interest thereon, in this Court, within a period of 12 (twelve) weeks from today, failing which the order granting stay shall stand vacated automatically without further reference to the Court. Civil application for stay is accordingly disposed of.

4. In first appeal, issue notice to the respondents, returnable on 18.08.2017. Call for record and proceedings.

5. Learned counsel waives notice for respondent-original claimants.

(V. K. JADHAV, J.)

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