

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

37 CIVIL APPLICATION NO. 3782 OF 2013  
IN FAST/18155/2012 WITH CA/3783/2013 IN FAST/18218/2012 WITH  
CA/3784/2013 IN FAST/18157/2012 WITH CA/3785/2013 IN FAST/18220/2012  
WITH CA/3786/2013 IN FAST/18159/2012 WITH

THE STATE OF MAH  
VERSUS  
VENKAT NIVARTI METE, DIED THR. L.RS. VENUBAI AND ORS

...  
GP for Applicant : Mr. A.B. Girase  
Adv. for respondent/s original claimants : Mr. S.A. Wakure.

. . .

**CORAM : K.K. SONAWANE, J.**

**DATE : 18<sup>th</sup> December, 2017.**

**PER COURT:**

Heard learned Govt. Pleader for the applicant/State as well as learned counsel for respondent/original claimants.

2] Perused the applications. Learned AGP submits that due to official procedure to present an appeal, delay 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] Learned counsel for the respondent/s raised objection and submits that delay has not been properly explained and it would be unjust and improper to condone the delay.

4] I have heard the submission canvassed on behalf of both sides and perused the application as well as the impugned judgment and award against which the applicant State is intending to file an appeal.

5] As the applicant is State Government, it is imperative to extend latitude while dealing with the condonation of delay, by adopting liberal and pragmatic approach. If the appeals of the appellant/State are not allowed to be presented for further process on the ground of such default of delay, no person is individually affected but, ultimately, the public interest would be at stake. Therefore, I do not find any impediment to allow the applicant/State to present an appeal by condoning the delay. It would not cause any prejudice or injustice to the respondent. In contrast, it would sub-serve the interest of justice. Hence, the applications 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 is hereby condoned. Registry to take requisite steps for registration of appeals.

6] On registration of appeals, issue before admission notice to respondents. Mr. S.A. Wakure, advocate waives notice for respondents/original claimants. After completion of procedural formalities, list the matter for admission in due course.

[K.K.SONAWANE, J]

grt/-