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

**926 CIVIL APPLICATION NO. 8048 OF 2014
IN FAST/17565/2014**

**MANOJ GOROBA MANE
VERSUS
NABISAB BABUKHAN PATHAN AND ANOTHER**

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Mr.F.K. Patel h/f Mr. R.P. Adgaonkar, Advocate for
Applicant/Appellant.
Mr. Swapnil Dargad h/f Mr. S.G. Chapalgaonkar,
Advocate for Respondent No. 2.

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**CORAM : K.K. SONAWANE, J.
DATE : 26th September, 2017**

ORDER:

1. Heard the learned counsel for the Appellant.
Perused the application.

2. There is a delay of 79 days for filing First
Appeal against the impugned Judgment and Award passed
by the learned Tribunal. Therefore, applicant has filed
present application to condone the delay. According to
the learned counsel for the Applicant, the delay caused
in filing the appeal against the impugned judgment and
award is not intentional or deliberate, but it is
caused due to the unavoidable circumstances. In such
circumstances, he prayed to condone the delay.

(2)

3. Considering the argument advanced on behalf of applicant/appellant, and the reason mentioned in the application, I do not find any impediment to condone the delay caused in filing first appeal in the interest of justice. The applicant is intending to file an appeal for enhancement of compensation. Hence, the application 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 appeal and list the matter for further process.

4. In view of above, civil application is allowed and stand disposed of.

(K.K. SONAWANE, J.)

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