

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.1130 OF 2017
(The State of Maharashtra and others Vs. Rohit Sopanrao Suryawanshi)
IN
FIRST APPEAL STAMP NO.27724 OF 2016
WITH
CIVIL APPLICATION NO.1131 OF 2017
(The State of Maharashtra and others Vs. Rohit Sopanrao Suryawanshi)

Mr.A.S.Bajaj and Mrs.M.A.Deshpande, Advocate for the applicants
Mr.V.G.Mete, Advocate for the respondent.

(CORAM : RAVINDRA V. GHUGE AND
SUNIL K. KOTWAL, J.J.)

DATE : 05/12/2017

PER COURT :

1. The applicants/State authorities pray for condonation of delay of 73 days in filing the first appeal. Learned Advocate appearing on behalf of the sole respondent has strenuously opposed this application by contending that the reasons cited are insufficient for condonation of delay.

2. For the reasons stated in the application and since we find that the delay is neither deliberate nor inordinate, this civil application is allowed.

3. Register the first appeal filed by the applicants and list the

same for admission on 08/01/2018. Since the learned Advocate for the sole respondent in the first appeal causes an appearance, service of notice in the first appeal is complete.

4. In so far as CA No.1131/2017 is concerned, this Court, by its order dated 15/09/2017 had granted ad-interim relief in terms of prayer clause "B" on the condition that the entire awarded amount with interest would be deposited in this Court. The applicants have deposited an amount of Rs.2,37,181/-. Learned advocate for the sole non-applicant submits that the total amount under the award is Rs.3,55,771/-.

5. This dispute with regard to the amount deposited would be considered on 08/01/2018.

(SUNIL K. KOTWAL, J.)

(RAVINDRA V. GHUGE, J.)