

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

928 CIVIL APPLICATION NO. 12494 OF 2014
IN FAST/31128/2014

M/S MAHESH PRODUCT PRIVATE LIMITED THR ITS AUTHORIZED SIGNATORY
VERSUS
MUNJA BAJIRAO GAIKAWAD

...

Advocate for Applicant : Mr. B. R. Kawre

CORAM : K.K. SONAWANE, J.

DATE : 11th October, 2017.

PER COURT:

1] Heard learned counsel for the applicant. Despite service of notice, none appears for sole respondent.

2] This is an application for condonation of 24 days delay for filing first appeal against the impugned judgment and award passed by the learned Commissioner, Workmens Compensation. It has been submitted that the alleged delay is not intentional and deliberate but caused due to unavoidable circumstances. The applicant has deposited the entire amount before the learned Commissioner but the receipt of the same was not issued till 17.11.2014 and it has caused delay in filing the present appeal.

3] As referred supra, none appears for respondent even after service of notice to him. Therefore, no opportunity is received for hearing respondent in the matter.

4] However, considering the submissions advanced on behalf of the applicant and reasons mentioned in the application, I do not find any impediment to condone the delay, as prayed. 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 application stands allowed in terms of prayer clause (B). Delay caused in filing appeal against the impugned judgment and award is hereby condoned. Civil application for condonation of delay stands disposed of.

7] Registry to take requisite steps for registration of appeal. On registration, issue notice to respondents returnable on 20th November, 2017. Meanwhile call for R.& P.

[K.K. SONAWANE]
JUDGE.

grt/-