

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION 16062 OF 2016 IN FAST
NO.35236/2016 WITHI FA NO.2376/2012

THE STATE OF MAHARASHTRA AND ANR
VS NANA GOPALA SHETE

..

Mr.SP Sonpawale, AGP for State;
Mr.PR Nangare, Adv. For sole respondent.

CORAM : P.R.BORA, J.

DATE : 12th June, 2017.

PER COURT :

. Heard. Delay of 1739 days has occurred
in filing the present appeal by the State.

2) Learned AGP submitted that the
respondent – original claimant has also preferred
an appeal seeking enhancement in the amount of
compensation and the said appeal has been
admitted by this court and it is under
consideration. Learned AGP further submitted
that in such circumstances, the State be given an
opportunity to agitate the appeal on merits.

3) Learned Counsel appearing for the respondent – original claimant has opposed for condoning the delay, stating that the reasons assigned are insufficient for condoning the delay.

4) In view of the fact that the appeal filed by the original claimant against the Award which has been impugned in the present appeal, has been admitted by this court and the same is still pending, I deem it appropriate to condone the delay and hear the present appeal along with the said admitted appeal. Hence, the following order, -

ORDER

i) The delay is condoned. The appeal be registered in accordance with law. CA for condonation of delay stands disposed of.

ii) On registration of the appeal, issue notice to respondent. Learned Counsel waives service for respondent – original claimant. Service complete.

Iii) Place the present appeal for admission along with First Appeal No. 2376/2012 on 4th July, 2017.

(P.R.BORA,J.)

bdv/