

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

**973 CIVIL APPLICATION NO. 5605 OF 2016 IN FAST/12143/2015  
WITH  
CA/12542/2015 IN FAST/12314/2015**

**THE EXECUTIVE ENGINEER, SINA KOLEGAON MEDIUM  
PROJECT, PARANDA  
VERSUS  
KALYAN SADAHIV POL DIED THR LRS SUNITA KALYAN POL AND  
OTHERS**

...

Advocate for Appellants : Mr. Patil Ruturaj C.  
AGP for Respondents No.4 and 5 in CA/5605/2016: Ms.S.S. Raut.

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**CORAM : V.L. ACHLIYA, J.**

**DATED : 10<sup>th</sup> AUGUST, 2018**

**PER COURT:-**

1. The applicant/s- appellant/s have filed these applications for condonation of delay of about 215 days in filing appeal against the award passed by the Reference Court.
2. Heard the learned counsel for the applicant/s and the learned A.G.P for respondents no. 4 and 5. The advocate representing respondents – claimants is absent.
3. Learned counsel for the applicant/s – appellant/s submits that the delay caused in filing appeals was not deliberate, but caused due to time spent in completing the procedural formalities to file appeals and securing funds to deposit the Court fees. He submits that the appellant has a good case to succeed in appeal. In case, the delay is

not condoned, there is every likelihood that a serious prejudice may result to applicant/s – appellant/s. Whereas, no serious prejudice would caused to respondents if delay is condoned as the case will be decided on merit

4. Considering the cause assigned for condonation of delay, I am of the view that delay has been properly explained. Accordingly, the civil applications are allowed in terms of prayer clause 'a' of the respective applications. Delay condoned. Appeals be registered.

8. The civil applications are disposed of in above terms.

**( V.L. ACHLIYA )**  
**JUDGE**

SPR