

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

962 CIVIL APPLICATION NO. 10018 OF 2018 IN RC/15/2017
WITH
CA/10019/2018 IN RC/19/2017 WITH CA/10020/2018 IN RC/17/2017
WITH
CA/10021/2018 IN RC/21/2017 WITH CA/10022/2018 IN RC/13/2017

**TUKARAM UTTAMRAO MOGAL AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

...
Advocate for Applicants : Mr. Ü.M. Maske Patil h/f Mr. Naik
Kaustubh K.
AGP for Respondent-State: Ms. S.S. Raut
....

CORAM : V.L. ACHLIYA, J.

DATED : 10th AUGUST, 2018

PER COURT:-

1. The applicants have moved this application for recall / set aside the order dated 06.12.2016 passed by the Registrar (Judicial) dismissing the appeal in default for not removing the office objection and for condonation of 595 days delay in filing the present application.
2. Considering the cause assigned for condoning the delay and recall of the order and consequences to follow if the order is not recalled, I am of the view that applications deserve to be allowed.
3. The appeals are filed by the claimants seeking enhancement of compensation. If the order is not recalled, there is every likelihood that a meritorious case may be dismissed for technical reason. I am therefore inclined to allow the application.

4. Accordingly, the applications are allowed in terms of prayer clauses 'B' and 'C' subject to removal of office objections within two weeks from the date of this order.
5. Applications are disposed of in above terms.

(V.L. ACHLIYA)
JUDGE

SPR