

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

**1060 CIVIL APPLICATION NO.8426 OF 2013
IN FAST/4745/2013
WITH CA/8428/2013 IN FAST/4807/2013
WITH CA/8430/2013 IN FAST/4810/2013
WITH CA/8432/2013 IN FAST/4815/2013
WITH CA/8434/2013 IN FAST/4826/2013
WITH CA/8436/2013 IN FAST/4820/2013**

**THE STATE OF MAHARASHTRA
VERSUS
NAWNATH EKNATH WAHATULE AN OTHERS**

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AGP for Applicant/State : Mr. R.B. Bagul
Advocate for Respondent Nos.1 and 2 : Mr. Nirmal Ramchandra J.
Advocate for Respondent No.3 : Mr. Salunke Mayur V.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 5th JULY 2019

ORDER :

1. Present applications have been filed for getting the delay of 974 days condoned in filing the First Appeal. The State intends to challenge the Judgment and Award passed by the reference Court on the ground that the enhancement in the compensation is excessive. As regards delay is concerned, it has been tried to be explained in paragraph Nos.2 to 4.

2. The application has been strongly opposed by the original claimants stating that each and every days delay have not been

explained properly and administrative ground cannot be the proper and sufficient reason.

3. Taking into consideration the details of the steps, those were taken by various authorities for applicant, it can be said that they had made efforts at periodical interval. However, due to the fact that the sanction or permission is definitely required to be obtained by the State from various departments, the delay has been caused. Under such circumstance, delay is condoned.

4. Civil applications stand allowed and disposed of accordingly.

5. Registry to register the First Appeals and place it for further consideration on 09-12-2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/