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

**954 CIVIL APPLICATION NO.11492 OF 2018
IN FA/75/2005**

THE DIVISIONAL CONTROLLER M S R T C
VERSUS
BADRINARAYAN BHANIRAM JAJU (DIED) THR LRS NADANLAL
AND ORS

...

Advocate for Applicant : Mr. Goyanka M.K.
AGP for Respondents : Mr. A.M. Phule
Advocate for Respondent Nos. 1(A) to 1(F) : Mr.
S.S. Dixit h/f Mr. V.J. Dixit

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**CORAM : P.R. BORA, J.
DATED : 16th JANUARY, 2019.**

PER COURT:-

. This is an application for bringing on record the legal heirs of deceased respondent no.2 and since some delay has caused in filing the application, the same is also sought to be condoned. The delay caused is of 3875 days. The reasons for occurrence of delay are explained in Para-2 and 3 of the application.

2. The contentions raised in Para-2 and 3 are seriously disputed by Shri Dixit who is appearing for some of the legal heirs of deceased respondent no.2. It is further brought to my notice that the appeal filed by the claimants seeking enhancement in the amount of compensation arising out of the

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same judgment and award is pending for consideration. In view of the fact that the present appeal was admitted and in view of the further fact that another appeal filed by the claimants is pending for consideration, I am inclined to allow the present application and to condone the delay.

3. The delay caused in filing the present application is condoned. The civil application stands disposed of.

(P.R. BORA, J.)

Mujaheed//