

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2882 of 2015
WITH
CIVIL APPLICATION NO. 4095 OF 2016
IN
FIRST APPEAL (ST) NO. 8538 OF 2015**

Srikrishna Raghunath Nagargoje

.... Applicant.

Versus

Sou. Anandibai w/o. Babasaheb @
Balasaheb Patil & others

... Respondents.

Mr. Omkar Nagwekar i/b. Prabha Badadare for the Applicant
None for the Respondent.

CORAM : K. K. TATED, J.

DATE : 18th SEPTEMBER, 2019

P.C.

Heard learned counsel for the applicant.

2. Though, respondents are duly served, no one appeared on behalf of them.

3. Office note shows that Civil Application stand dismissed against respondent No.3, vide Registrar's order dated 8th January, 2016.

4. By this Civil Application, the applicant is seeking condonation of 138 days delay in filing First Appeal challenging

the judgment and award dated 21st August, 2014 passed by the Commissioner for Employees Compensation at Kolhapur in W.C.Application No.88/B-19/2000.

5. Considering the submission made by the learned counsel for the applicant and avernments in Civil Application, I satisfied that applicant has made out a case for allowing this Civil Application. Hence, the following order -

- (i) Delay in filing First Appeal is condoned.
- (ii) Registry is directed to make noting in First Appeal memo that First Appeal stand dismissed against respondent No.3.
- (iii) Civil Application stands disposed of accordingly.
- (iv) No order as to costs.

[K. K. TATED, J.]