

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

**CIVIL APPLICATION NO.996 OF 2018
IN
FIRST APPEAL (ST.) NO.33769 OF 2017**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Lokesh D. Zade for the applicant

**CORAM : K. K. TATED, J
DATE : JULY 26, 2019**

P.C.:

. Heard.

2 Though Respondents are duly served, no one appeared on behalf of him when the matter was called out.

3 By this Civil Application, Applicant original opponent no.1 and 3 is seeking condonation of 1 year 155 days delay in filing First Appeal challenging the judgment and award dated 28.3.2016 passed by MACT, Kolhapur in M.A.C.P. No.629 of 2013 holding that Respondent Claimants are entitled

compensation of Rs.3,21,500/- with interest @ 6% p.a.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application but at the same time, they have to pay cost of Rs.5,000/-. Hence, following order is passed:

- a. Delay in filing First Appeal is condoned.
- b. Applicant to pay cost of Rs.5,000/- to the Respondent original Claimant.
- c. Cost to be deposited in the Registry of this court on or before 16.8.2019, failing which Civil Application shall stand dismissed without referring back to the court.
- d. If cost is deposited within stipulated time as stated hereinabove, Respondent original Claimants are entitled to withdraw the same without furnishing any security.
- e. Civil Application stands disposed of accordingly.
- f. No order as to costs.

(K.K.TATED, J.)