

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

CIVIL APPLICATION NO. 4412 of 2014
IN
FIRST APPEAL (ST). NO. 7070 OF 2011

The State of Maharashtra & Anr.

...Applicants

Versus

Popat Bhimrao Sate & Anr.

...Respondents

Ms. Tanaya Goswami AGP for the State/Applicants.

...

...

CORAM : K.K.TATED, J.
DATED : SEPTEMBER 27, 2019

PC.

1. Heard learned AGP for the Applicants.
2. Though the Respondent No.1 is duly served no one appeared on behalf of him, when the matter is called out. The Respondent No.2 Sadhashiv Bhagwan Garad is dead.
3. By this Civil application, Applicants are seeking condonation of 78 days delay in filing First Appeal challenging the Judgment and Award dated 04th August 2010 passed by Learned Civil Judge, Senior Division, Barshi, District Solapur in L.A.R. No. 178 of 2002 holding that the Respondents/claimants are entitled sum of Rs. 82,644/- by way of additional compensation.

4. Considering the submissions made by the learned AGP for Applicant and the averments made in Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

5. Hence, the following the order:

a) Civil Application is allowed in terms of prayer clause (b) which reads thus:

“(b) this Hon’ble Court be pleased to condone the 78 days of delay in filing the abovementioned First Appeal against the Judgement and Award dated 04.08.2010 passed by the Learned Civil Judge, Senior Division, Barshi, District Solapur in L.A.R. No. 178 of 2002;”

b) Civil Application shall stand disposed of accordingly.

(K.K.TATED, J.)