

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

**CIVIL APPLICATION NO.3272 OF 2015
IN
FIRST APPEAL (STAMP) NO.12490 OF 2014
WITH
CIVIL APPLICATION NO.3273 OF 2015
IN
FIRST APPEAL (STAMP) NO.12490 OF 2014
WITH
CIVIL APPLICATION (STAMP) NO.7328 OF 2019
IN
CIVIL APPLICATION NO.3272 OF 2015
IN
FIRST APPEAL (STAMP) NO.12490 OF 2014**

The State of Maharashtra

.....Applicant

V/s.

Madhav Padaji Thakur & Anr.

....Respondents

Ms. Anamika Malhotra, AGP for the applicant/State.

Ms. Deepa Punde i/b Mr. Sachin S. Punde, advocate for the
respondent No. 1.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 20th AUGUST, 2019.**

P.C.:

ORDER IN CIVIL APPLICATION NO.3272 OF 2015 :-

The applicant herein has sought to condone the delay of 1 year and 343 days in filing the first appeal challenging the judgment and award dtd. 03/06/2010 passed by the learned Joint Civil Judge, Senior Division, Panvel in L.A.R. No.61 of 1996.

2. The learned counsel for the respondent No. 1 has given no objection to condone the delay.

3. In the light of the said statement and reasons stated in the application, which in my considered view constitute sufficient cause, the application is allowed. The delay is condoned. Appeal be registered on removing office objections, if any.

ORDER IN CIVIL APPLICATION 3273 OF 2015 :-

4. By this application, the applicant has sought to stay the execution and implementation of the impugned judgment and award dtd. 03/06/2010 passed by the learned Joint Civil Judge, Senior Division, Panvel in L.A.R. No.61 of 1996.

5. The learned AGP for the applicant states that the entire compensation alongwith the interest accrued thereon and all other statutory benefits will be deposited before the reference Court within a period of four weeks. Statement is accepted.

6. In the light of the said statement, execution and implementation of the impugned judgment and award is stayed till the next date of hearing. Stand over to **11/09/2019**.

ORDER IN CIVIL APPLICATION (STAMP) NO.7328 OF 2019 :-

7. By this application, the applicant has sought to condone the delay and to bring on record the legal representatives of the

deceased respondent No. 2.

8. The learned counsel for the respondent No. 1 waives service on behalf of the respondents as well as proposed legal representatives.

9. She has given no objection for condoning the delay and for bringing on record the legal representatives of the deceased respondent No. 2.

10. In the light of the said statement and also reasons stated in the application, the delay is condoned. Legal representatives of the deceased respondent No. 2 are allowed to be brought on record. Cause title be amended.

11. Civil Application (Stamp) No.7328 of 2019 is disposed of.

ORDER IN FIRST APPEAL (STAMP) NO.12490 OF 2014 :-

12. The appeal be registered subject to removal of office objections, if any. Ms Deepa Punde, the learned counsel waives service of notice on behalf of the Respondents. The appeal be listed for admission on **11/09/2019**.

(SMT. ANUJA PRABHUDESSAI, J.)