

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

**CIVIL APPLICATION NO.1529 OF 2016  
IN  
FIRST APPEAL (ST.) NO.26136 OF 2015**

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|-----------------------------------------------------------------------------------------------------------|---------------------------|
| 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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Ms.Sairuchita Chowdhary i/b M/s.J.Shekhar and Co. for the applicant

**CORAM : K. K. TATED, J  
DATE : APRIL 30, 2019**

**P.C.:**

. Heard.

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

3 By this Civil Application, Applicant Claimant is seeking condonation of 2 years 100 days in filing First Appeal challenging the judgment and award dated 8.3.2013 passed by MACT, Islampur in MACP No.26 of 2009 for

additional compensation.

4 The learned counsel for the Applicant submits that initially Applicant handed over all the papers and proceeding along with court fees to the Advocate Noorjanha S. Aga for filing First Appeal in this court. She submits that earlier Advocate failed and neglected to file First Appeal within time. Not only that, earlier Advocate refused to hand over papers. Hence, Applicant sent letter to the said Advocate which is at Exhibit-B to the Civil Application.

5 The learned counsel for the Applicant submits that because of mistake on the part of earlier Advocate, Applicant should not suffer. She submits that Applicant has good chance of success in the present matter. She submits that in the interest of Justice, this Hon'ble Court be pleased to condone the delay in filing the First Appeal.

6 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application, because of mistake on the part of advocate, Applicant should not suffer and considering the letter dated 13.7.2015 issued by Applicant to the earlier Advocate Noorjanha S. Aga, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

Hence, following order:

- a) Delay in filing the First Appeal is condoned.
- b) Civil application stands disposed of accordingly.

**(K.K.TATED, J.)**