

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Civil Application (F) No.384/2019 In First Appeal St. No.1099/2019

(Maharashtra Industrial Development Corporation, Amravati V Narayan Bande thr Lrs and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Sharad Thakare, Adv for appellant.
Shri M.A. Kadu, AGP for resp. no.5.

CORAM : S.M. MODAK, J.

DATE : 11-12-2020.

Though respondent nos. 1 to 4 were served, they have chosen not to appear in spite of grant of sufficient opportunity.

Heard learned Advocate Shri Thakery for the appellant and learned AGP for respondent no.5.

The Reference Court has enhanced the amount of compensation as per award dated 02-11-2016. The applicant could not prefer an appeal. There is a contention that the Regional Officer was not responsible towards the Court matter and she was required to be transferred. Due to that there was lot of inconvenience in the office. For the indiscipline on the part of the officer the institution should not suffer. Hence, for the reasons stated in the application the delay of 292 days should be condoned.

It is opposed by the learned AGP.

As the reasons mentioned in the application are genuine and convincing, I am inclined to allow the application. Hence, the order :

ORDER

- (a) Delay of 292 caused in preferring an appeal is condoned.
- (b) Application is disposed of.

First Appeal No. ____/2020

Heard.

Admit.

Call for the R and P.

Issue fresh notice to respondent nos.1 to 4.

Learned AGP waives notice for respondent no.5.

Matter be kept after service.

Civil Application (F) No.386/2019

Stay is granted to the execution of the impugned judgment, subject to deposit of decretal amount within a period of three months.

Application is disposed of.

The claimants are at liberty to ask for withdrawal and it will be considered on merits.

(S.M. Modak, J.)