

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

907 CIVIL APPLICATION NO.5760 OF 2010
IN FIRST APPEAL [STAMP] NO.8793 OF 2010

KARTIK AGRO CHEMICALS PVT.LTD.
VERSUS
NIRMALABAI PRAKASH DANDGE & ANOTHER

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Mr.S.S.Rathi, Advocate for the applicant.

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**CORAM : V. K. JADHAV, J.
DATED : 01.09.2021**

PER COURT :

1] Heard learned counsel for the applicant. None present for respondent no.2.

2] There is delay of 42 days caused in preferring the Appeal.

3] Learned counsel for the applicant submits that applicant no.1 is original respondent no.1 – owner before the Commissioner of Workmen's Compensation. Learned counsel submits that the applicant was not having knowledge about the said award that certain liability was fasten over the present applicant. Though on 28.01.2010 certified copy of the judgment and award was received by the Advocate for the present applicant, he got knowledge about the judgment and

decree passed by the Court in the month of March, 2010. Learned counsel submits that the delay is not intentional one and the applicant was prevented from sufficient cause to prefer appeal within limitation.

4] Otherside has not contested the matter by filing any reply.

5] In view of above and for the reasons stated in the application, the application is allowed in terms of prayer clause-b and same is disposed of accordingly.

[V. K. JADHAV, J.]

DDC