

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.4882 OF 2012
IN FAST/9117/2012

THE STATE OF MAHARASHTRA
VERSUS
YADHAV S/O KRISHNA TARMUDE (DIED) THR HIS LRS JANARDHAN
AND OTHERS

...
Mr. B. V. Virdhe, AGP for applicant – State.
Mr. A. P. Yenegure, Advocate for respondent Nos.1-A to 1-C & 1-E to 1-G
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 19.06.2021

ORDER :-

. Present application has been filed for condoning the delay of 359 days in filing the first appeal.

2. Learned Advocate Mr. A. P. Yenegure appearing for respondent Nos.1-A to 1-C and 1-E to 1-G has strong objection to condone the delay. He submits that no proper reasonable, much less sufficient reason has been given for condoning the delay. Merely because the applicant is State, the delay cannot be condoned. The respondents are waiting for the compensation since even prior to 1994, as they had filed the reference from 23.09.1994 onwards.

3. At the outset, it is to be noted that though the group of matters in respect of reference, which were filed since prior to 23.09.1994, were decided together by the learned reference Court on 20.12.2010 only, the State cannot be blamed for the same. Now, as regards the delay is concerned, liberal approach will have to be taken taking into consideration the duration of the delay and for the reasons mentioned in paragraph Nos.2 and 3. The delay stands condoned.
4. Civil Application stands allowed and disposed of.
5. Registry to verify and register the first appeal.

[SMT. VIBHA KANKANWADI, J.]

scm