

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

949 CIVIL APPLICATION NO.9179 OF 2017
IN FIRST APPEAL [STAMP] NO.11852 OF 2017

SHYAM RAMESHWAR DARAK
VERSUS
VAIJANATH VISHWANATH TURE & OTHERS

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Mr.S.S.Rathi, Advocate for the applicant.
Mr.Jeevan R. Patil, Advocate holding for Mr.A.G.Kanade,
Advocate for respondent no.7.

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

PER COURT :

1] Heard learned counsel for the applicant and learned counsel for respondent no.7 – insurer. The applicant is the Contractor and the party respondent in the proceedings before the Commissioner for Employee's Compensation.

2] So far as penalty part is concerned, appeal is preferred by the applicant - Contractor to that extent only, which is delayed by 38 days.

3] Thus, considering the delay of 38 days which is satisfactorily explained, I am inclined to condone the delay. Hence, the following order is passed :

ORDER

Civil Application is allowed in terms of prayer clause-B. Accordingly, Civil application is disposed of.

[V. K. JADHAV, J.]

DDC