

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.3450 OF 2019
IN
FIRST APPEAL (ST.) NO.30412 OF 2019

VISHAL
SUBHASH
PAREKAR

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The Maharashtra State Road Transport Corp. ...Applicant
vs.
Savitra Ramchandra Jadhav and Ors. ...Respondents
Ms. Ayodhya Patki i/b. Mr. Nitesh Bhutekar, for the Appellant.
Mr. Pritesh Bohade, for the Respondent

CORAM : N. J. JAMADAR, J.
DATE : NOVEMBER 24, 2021

P.C.:

. Heard the learned counsel for the applicant/original respondent No. 2. and the learned counsel for respondent/original claimant.

2. This application is taken out to condone the delay of 190 days in preferring the appeal against the judgment and award passed by learned MACT, Satara dated 27th February, 2019 in MACP No. 436 of 2015.

3. In paragraph Nos. 4 and 5 of the application the applicant has ascribed reasons for delay in filing the appeal. The averments in the application thus make out a sufficient cause for condonation of delay. It is trite that the Courts lean in favour of the condonation of

delay so as to advance the cause of substantive justice.

4. In the case at hand, while staying the execution of the impugned award this Court had directed the applicant to deposit the entire amount of compensation along with interest accrued thereon. The applicant has deposited the said amount, in conformity with the order of this Court. The respondent/claimant has been permitted to withdraw 50% of the amount of compensation, as well.

5. In the circumstances, it would be expedient in the interest of justice to condone the delay. Hence, the following order:

ORDER

- 1] The application stands allowed.
- 2] The delay in preferring the appeal against the judgment and award passed by the learned MACT, Satara dated 27th February, 2019 in MACP No. 436 of 2015 stands condoned.
- 3] Appeal be registered.

(N. J. JAMADAR, J.)