

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3925 OF 2019 IN
FIRST APPEAL ST. NO. 8399 OF 2019

The New India Assurance
Co. Ltd.

Applicant

Versus

Vaishali Mahendra Pawar & others

Respondents

Mr. M. M. Ambhore, Advocate for the applicant.

Mr. V B. Jagtap, Advocate for respondents No. 1 to 4.

CORAM : R. M. JOSHI, J.

DATE : 9th DECEMBER, 2022.

PER COURT :

1. This application is filed by New India Assurance Co. Ltd. seeking condonation of delay of 246 days caused in preferring appeal against the impugned judgment and award dated 27th March, 2018 passed by the Commissioner for Employee's Compensation, Ahmednagar, in Application WC No. 35/2017.

2. Learned advocate for the applicant submits that due to administrative reasons delay was caused in preferring the appeal. Learned advocate for respondents vehemently opposed the application.

3. It is informed to this Court that the amount of compensation granted by the Commissioner has already been deposited by the applicant herein and some part of the said amount has been withdrawn by the respondents.

4. Perusal of the application does not indicate that delay caused is deliberate one. Considering the facts and circumstances on record, this Court finds it to be a fit case for condonation of delay. Since respondents are employees, some reasonable cost needs to be awarded for condonation of delay and the same is quantified at Rs. 2,000/- payable to respondents. The amount of cost be paid/deposited within two weeks. Hence the order :-

ORDER

- i) Application is allowed.
- ii) Delay of 246 days caused in preferring the appeal stands condoned subject to cost of Rs. 2,000/-.
- iii) The amount of cost be paid/deposited within two weeks.
- iv) Appeal be registered.

v) Civil application stands disposed of.

(R. M. JOSHI)
Judge

dyb