

rkmore

Digitally
signed by
RAJSHREE
KISHOR
MORE
Date:
2022.01.19
17:25:49
+0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 2853 OF 2005
In
FIRST APPEAL(STAMP) NO. 10252 OF 2005**

The State Of Maharashtra].. Applicant
vs.
Laxman Martand Thaware]
Since deceased through Legal Heirs & Ors.].. Respondents

Mr.A.R. Patil, AGP for Applicant-State.
None for Respondent.

CORAM : N.R.BORKAR, J.

DATE : 18TH JANUARY 2022

P.C.

1] This application is filed by the State for condonation of delay of 84 days in filing the First Appeal against the Judgment and Award dated 31.08.2004 passed by the learned Ad-hoc Additional District Judge, Pune in LAR No.338/1998.

2] I have heard the learned AGP for the applicants-State and perused the averments made in the application.

3] Admittedly, the award of reference Court impugned in the First Appeal is dated 31.08.2004. The amount of enhancement appears to be Rs.31,557/-. Considering the meager amount of enhancement, I am not inclined to condone the delay after 17 years. Accordingly, following order is passed :

i] Civil Application for condonation of delay is dismissed.

li] Needless to mention that I have not examined the impugned Judgment and award on merit and therefor any observations in this order shall not be construed to mean that I have upheld the impugned Judgment and award on merit.

[N.R.BORKAR, J]