

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 CIVIL APPLICATION NO.6153 OF 2019
IN FAST/15318/2018

CHHAYA PHILIP WAGHMARE AND ORS
VERSUS
SUPERINTENDING ENGINEER M.S.E.D.C LTD.
AHMEDNAGAR ANDORS

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Advocate for Applicants : Mr P.S. Mantri h/f Mr Parag Vijay Barde
Advocate for Respondent Nos. 1 to 3 : Mr R.D. Borde h/f Mr U.S. Malte
Advocate for Respondent No. 5 : Mr S.R. Bagal

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 24-02-2023

PER COURT :

1. Heard.
2. The applicants seek to condone the delay of 135 days caused in preferring the first appeal challenging the Judgment and order dated 21-11-2017 in Application (W.C.) No. 39/2014 passed by the Commissioner for Employees Compensation and Judge, Labour Court at Ahmednagar.
3. The learned advocate appearing for the applicants submits that the applicants are seeking enhancement of compensation by filing the appeal. The delay caused in filing the appeal is unintentional. The applicants have not derived any advantage by making the delay. The learned advocate invited attention of this Court to the reasons stated in para No. 3 of the application and prayed to condone the delay.

4. The learned advocate for the respondents opposes to condone the delay. However, considering the nature of dispute and reasons stated in para No.3, it is just and proper to condone the delay.

5. The civil application is allowed. The delay of 135 days caused in filing the appeal is hereby condoned. The appeal be registered.

[S.G. CHAPALGAONKAR, J.]

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