

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

**CIVIL APPLICATION NO.3711 OF 2020
IN
FIRST APPEAL STAMP NO. 29847 OF 2019
WITH
FIRST APPEAL STAMP NO. 29847 OF 2019**

Shivaji Sandu Dhande & Anr. ... Applicants

VERSUS

Kakasaheb Daulat Agre & Anr. ... Respondents

...
Mr. Amol P. Khedkar, Advocate for the Applicants
Mr. M. M. Ambhore, Advocate for Respondent No.2

...
CORAM : S. G. CHAPALGAONKAR, J.

DATE : 10.02.2023

PER COURT :

. Heard.

2. The applicants seek to condone the delay of 302 days caused in filing the appeal.

3. Learned advocate appearing for the applicants submits that the delay caused in filing the appeal is not intentional. The applicants have filed an appeal for enhancement of compensation.

4. Learned advocate Mr. Ambhore appearing for respondent no.2 opposed the application on the ground that the delay is not properly explained.

5. After considering the submissions of both the sides and reasons

stated in the Paragraph Nos.3 & 4 of the application, the delay deserves to be condoned.

6. The application is allowed accordingly.

7. The appeal be registered. On registration of the appeal, the matter be posted for admission in regular course.

8. Issue notice in appeal to the respondents, returnable on 10.03.2023. The notice to indicate that, the appeal shall be taken up for final hearing on the returnable date or any further date fixed by the Court.

9. Call Record & Proceedings.

(S. G. CHAPALGAONKAR, J.)

Sameer