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902-CA-4433-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 CIVIL APPLICATION NO. 4433 OF 2024
IN FAST/8941/2024

Indrabai Dnyandeo Ghodke

VERSUS

The Union Of India, Through The Manager And Ors

...

Mr. Manoj U. Shelke, Advocate for Applicant.

Mr. K. S. Patil, AGP for Respondent-State.

Mr. Rahul B. Bagul, for Respondent No.1 and 2.

CORAM : KISHORE C. SANT, J.

DATE : 12th DECEMBER 2024

PC :-

1. Heard the learned Counsel for the parties.
2. This application is for condonation of delay of 318 days caused in filing the first appeal by original claimant. The appeal is enhanced of amount of compensation awarded by the reference Court.
3. Learned Advocate Mr. Bagul appearing for respondents vehemently opposes the application. He submits that no sufficient reason is shown for condonation of delay.
4. Considering the above and delay of 318 days, this Court is inclined

to allow the application.

5. Application is allowed. Delay stands condoned.
6. Office to register first appeal.
7. The applicant shall file specific undertaking/affidavit that the applicant shall not be entitled to claim any interest for the delayed period in case, the appeal is allowed and amount is enhanced.
8. Application stands disposed off.

FIRST APPEAL

1. Issue notice to the respondents, returnable on 13th February 2025.
2. Learned Advocate Mr.Bagul waives service of notice for respondent Nos. 1 and 2.

[KISHORE C. SANT, J.]