



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

**927 CIVIL APPLICATION NO. 13104 OF 2018
IN FAST/29674/2018**

**YEDESHWARI SAKHAR KARKHANA, THR ITS MANAGING DIRECTOR
VERSUS**

SUWARNA BALU BHOSALE AND ORS

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Advocate for Applicant : Ms. Smita Chole (Kendre) h/f. Thombre S.S.

Advocate for Respondents : Mr. Hrishikesh V. Tungar

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CORAM : Y.G. KHOBRAGADE, J.

DATE : 02.04.2024

PC.:-

1. Heard the learned counsel appearing for the respective parties at length.

2. The applicant-establishment has filed application for condonation of delay of 466 days caused in lodging the appeal against the judgment and award dated 18.04.2017 passed in W.M.C. No.45/2014 by the learned Commissioner under the Employees' Compensation Act / C.J.S.D., Beed. According to the applicant, the matter was proceeded ex parte and the competent authority of the applicant-establishment was not having knowledge about passing of the ex parte judgment and award, soon after getting the knowledge of the same the present application along with first appeal has been filed. The learned counsel appearing for the non-applicants strongly

resisted the application on the ground that the delay has not been properly explained, hence prayed for rejection of the same.

3. It is a matter of record that the learned Commissioner under the Employees' Compensation Act passed the impugned award directing the present applicant no.1 and original non-applicant no.2 to pay compensation to the tune of Rs.8,31,920/- with simple interest @ 12 per annum from the date of accident till its realization.

4. Therefore, considering the nature of claim and the reason assigned for condonation of delay, I am satisfied that the appellant has explained the delay satisfactorily. Hence civil application is allowed and the delay is condoned. Copy of this order be kept with the First Appeal. Office to register the first appeal and place before this Court for further action.

[Y.G. KHOBRAGADE, J.]