



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

**CIVIL APPLICATION NO. 9457 OF 2024
IN
FIRST APPEAL STAMP NO. 13938 OF 2024**

The Executive Engineer L.M.I.D.C.
Latur through GMIDC, Aurangabad .. Applicant

Versus

Manik Pundlik Biradar .. Respondent

Shri S. C. Swami, Advocate h/f Shri Sachin R. Erande, Advocate
for the Applicant.

Shri B. A. Shinde, A.G.P. for the Respondent Nos. 4 and 5.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 12TH MAY, 2025.**

FINAL ORDER :

. Heard learned counsel Mr. Swami for the applicant. None appears for the respondents though served.

2. This application is for condonation of delay of 542 days caused in preferring the first appeal. Appeal is filed challenging the judgment and award dated 11.11.2021 passed by the Reference Court in L. A. R. No. 03 of 2011.

3. Learned counsel for the applicant submits that contentions raised in paragraph No. 3 are good grounds to condone the delay. Learned counsel further submits that the delay is not deliberate

and matter needs to be heard on merits, because enhancement given by the Reference Court is on higher side and the impugned award is perverse.

4. I have gone through the contents of the application. There is no reason to discard the grounds raised in the application for condonation of delay. The contents of the application are not controverted by the respondents. The civil application deserves to be allowed. The civil application is allowed in terms of prayer clause 'A'. The civil application is disposed of.

5. Office is directed to register the first appeal.

[SHAILESH P. BRAHME J.]

bsb/May 25