



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (O) NO.61 OF 2025

IN

MISC. CIVIL APPLICATION (ST) NO.24852 OF 2024

IN

FIRST APPEAL NO.1048 OF 2015 (D)

[Sau. Pushpabai Champalalji Taori (Dead) thr LRs and Another ..Vs.. State
of Maharashtra and Others]

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr N. Valesha, Adv. h/f Mr A. Parchure, Advocate for Applicants/Appellants.
Mrs H. S. Dhande, AGP for Non-Applicants/State.
Ms A. S. Athalye, Advocate for Non-Applicant No.3.

CORAM : M. W. CHANDWANI, J.

DATE : 16th APRIL, 2025.

1. Heard.
2. The application is made for condonation of delay in filing the restoration application for restoring First Appeal No.1048 of 2015, which was dismissed in default by order dated 30.01.2019.
3. The contention is that due to miscommunication, the information could not be transmitted to the applicants for filing paper book, hence, the appeal came to be dismissed.
4. The learned counsel appearing on behalf of respondent No.3 objected the application.
5. Considering the reasons mentioned in the application and considering the fact that the enhancement of compensation is claimed under the beneficial legislation, the delay in filing the restoration application is hereby condoned.

For the same reason, the application for restoration of appeal is allowed subject to the condition that the applicants will not be entitled to the interest on the award and other statutory benefits for the delayed period.

6. In above said terms, the applications are disposed of. The appeal is restored to the file.

7. The applicants/appellants to file the paper book within two weeks from today.

8. Stand over after two weeks.

JUDGE

Tambe