

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

Civil Application [CAF] No.425 of 2014

in

First Appeal Stamp No.16940 of 2013

(Panchi Babarao Salam [dead] through L.Rs. vs. State of Maharashtra and others)

 Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : PRASANNA B. VARALE, J.

DATE : JUNE 20, 2014.

Heard Mr. S.O. Ahmed, learned Counsel for the applicant/appellant, Mr. M.A. Kadu, learned A.G.P. for non-applicant/respondent nos.1 and 2 and Mr. M.M. Agnihotri, learned Counsel for non-applicant/respondent no.3.

The learned Counsel for the applicant, by inviting my attention to the application, submits that the applicant is a tribal and illiterate person and being not conversant with the legal proceedings, the applicant was unaware of the fact that he can take necessary steps to challenge the judgment and award passed by the reference Court by preferring the appeal, and only on receiving the legal assistance, the appellant preferred the present appeal. He further submits that due to illiteracy and financial constraint, the applicant was unable to receive the certified copies. The learned Counsel for the applicant on this ground prays for condonation of delay of 230 days caused in filing the instant appeal.

The learned A.G.P. for non-applicant nos.1 and 2 and learned Counsel Mr. Agnihotri appearing for non-applicant no.3 oppose the application.

In view of the submission of the learned Counsel for the applicant and for the reasons stated in the application, the application is allowed and the delay is condoned.

First Appeal No. _____/2014 :-

Heard the learned Counsel for the Appellant.

Issue notice to the respondents.

Mr. Kadu, learned A.G.P. waives notice on behalf of respondent nos.1 and 2 and learned Counsel Mr. Agnihotri waives notice for respondent no.3.

Put up the appeal on 11th of July, 2014.

JUDGE

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