



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

CIVIL APPLICATION (CAF) NO. 286 OF OF 2020

IN

FIRST APPEAL (st.) NO.25965 OF 2019

Jagdish Gulabrao Shegaonkar and others

.VS.

The Special Tribunal at Nagpur and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr S. A. Radke, Advocate for the appellants

Mr S. C. Joshi, AGP for State

Mr C. S. Samudra, Advocate for respondent No.2

CORAM : G.A. SANAP, J.

DATE : APRIL 24, 2024.

Heard learned Advocates for the parties.

2. This is an application for seeking condonation of 449 days delay caused in filing the appeal against the order dated 21.08.2018 passed by the Special Tribunal, Nagpur in Compensation Case no. 47 of 2017. All the respondents are served in this application. Mr. Samudra appears for respondent No.2.

3. Learned AGP appears for respondent No.1.

4. Respondent Nos. 3 to 9, who are the main contesting respondents, have failed to appear before the Court despite service.

5. The reasons have been stated in the application. Learned Advocates for respondent Nos. 1 and 2 submits that the Court may pass an appropriate order. After going through the record and proceedings and the application, I am satisfied that the reasons are sufficient to explain the delay. The reasons stated in the application have not been controverted by the contesting respondents. I do not see any reason to discard and disbelieve the reasons. As such, I conclude that the case is made out on the basis of the reasons stated in the application to condone the delay. Accordingly, the application is **allowed**.

6. The delay of 449 days caused in filing the appeal stands condoned.

7. The First appeal be registered.

8. The civil application stands **disposed of**, accordingly.

FIRST APPEAL (St.) NO. 25965 OF 2019

9. On registration, issue notice to the respondents for final hearing at the stage of admission, returnable within **eight weeks**.

10. Learned AGP waives service of notice on behalf of respondent No.1.

11. Learned Advocate Mr. C. S. Samudra waives service of notice on behalf of respondent No.2.

(G. A. SANAP, J.)

Namrata