

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Miscellaneous Appeal No. 6604/2017

Asharaf Alias Asheef

----Appellant

Versus

Hariom And Anr.

----Respondents

For Appellant(s) : Mr. Sandeep Mathur

For Respondent(s) :

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

17/05/2022

Appellant-claimant has filed this appeal for enhancement of compensation granted by Deputy Labour Commissioner and Commissioner under the Employees Compensation Act, 1923.

Appellant has filed required court fees but since there is some delay in payment of court fees, hence application No.6215/2018 under Section 149 CPC seeking extension of time to pay the court fees has been filed.

As per Office report, required court fees has already been paid, the delay in payment of court fees is condoned.

Accordingly, application No.6215/2018 stands disposed of.

It has also been noticed that there is some delay in filing the appeal and separate application under Section 5 of Limitation Act has also been filed.

It has been stated that appellant was not informed within time about the impugned award, hence after having knowledge of the same, he has filed this appeal.

Considering the reasons mentioned in the application and the fact that no mala fides can be attributed on the part of the appellant in filing the appeal belatedly, this Court deems it just and proper to condone the delay in the interest of justice.

Accordingly, the application under Section 5 of Limitation Act stands allowed.

Heard learned counsel for appellant on appeal.

Admit.

Issue notice to respondents.

Record of the Commissioner be also summoned.

(SUDESH BANSAL),J

SAURABH/61



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