

CMP(M) No. 1570 of 2017

30.11.2017 Present: Mr. Anuj Gupta, Advocate, for the applicant/appellant.

M/s. Vikram Thakur and Parul Negi, Deputy Advocate Generals, for non-applicants/respondents No. 5 and 6.

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By way of this application, the applicant/appellant has prayed for condonation of one day's delay in filing the appeal.

Mr. Vikram Thakur, learned Deputy Advocate General accepts notice on behalf of non-applicants/respondents No. 5 and 6. He submits that he has no objection in case the delay in filing the appeal is condoned.

I have heard the learned counsel for the applicant and learned Deputy Advocate General. I have also gone through the averments made in the application. A perusal of the averments made in the application demonstrate that the delay in filing the appeal is bonafide and not intentional and the same has resulted on account of some error of calculation in the computation of limitation. Taking into consideration the fact that the delay in filing the appeal is only of one day, this Court deems it appropriate to condone the same without issuance of notice to the private respondents/non-applicants. Accordingly, one day's delay in filing the appeal is condoned. Application stands disposed of.

RFA No. _____ of 2017

Be registered. Admit.

Mr. Vikram Thakur, learned Deputy Advocate General accepts post admission notice on behalf of respondents No. 5 and 6. Post admission notice(s) be issued to respondents No. 1 to 4 returnable for 28th February, 2017. Steps for the service of said respondent be taken within one week.

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Be registered. Notice in above terms. List on 28th February, 2017. In the meanwhile, in the eventuality of the entire award amount with up-to-date interest being deposited by the applicant/appellant with the Registry of this Court within a period of eight weeks from today, the execution and operation of the award under challenge shall remain stayed.

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(Ajay Mohan Goel)
Judge

November 30, 2017
(bhupender)