

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

CAF No.1449/2013 in FA St. No.4854/2013
Nagorao Champatrao Gakhare VS. United India Insurance Co.Ltd. and Ors.

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

Court's or Judge's
Orders.

CORAM : Z.A. HAQ, J
DATE : 7th January, 2015.

Heard Shri Rajnish Vyas, the learned Advocate for the applicant and Shri A.J. Pophaly, the learned Advocate for the non-applicant no.1. None appears for the non-applicants 2 and 3.

The application is filed by the owner of the vehicle involved in the accident, praying for condonation of delay of 952 days in filing the appeal. The Motor Accident Claims Tribunal has awarded the compensation of Rs. 1,44,753/- to be paid by the owner and the driver of the vehicle. The Insurance Company is absolved of the liability.

The reasons given by the applicant in the application are not satisfactory and cannot be said to constituting "sufficient cause" on the basis of which the inordinate delay in filing the appeal can be condoned.

In view of the above, the civil application is dismissed. Consequently the appeal is also rejected. No costs.

The amount of Rs. 25,000/- deposited by the applicant with the Registry of this Court shall be given to the claimants.

JUDGE

Ambulkar