

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1058 OF 2014
IN
FIRST APPEAL STAMP NO.14744 OF 2013**

**Sunita Sharad Nakade and ors. : Applicants.
Versus
Ramesh Yashwant Phuke and ors. : Respondents.**

**Mr. V A Shastry for the Applicants
Mr. Ketan Joshi i/by Shri D S Joshi for the Respondent Nos.2 & 4.**

**CORAM : R. M. SAVANT, J.
DATE : 27th June 2016**

P.C.

1 The above Civil Application has been filed for condonation of delay of 340 days in filing the Appeal. The Applicants are the claimants being widow and the children of the deceased. The reasons for the delay are mentioned in paragraph 9 of the above Civil Application.

2 The learned counsel appearing for the Respondent Nos.,2 and 4 opposes the Application but ultimately leaves it to the Court.

3 In my view, having regard to the reasons mentioned in paragraph 9 of the Civil Application and considering the fact that the above First Appeal has been filed by the claimants, case for exercise of discretion is made out. The above Civil Application is accordingly allowed. Resultantly, the delay of 340

days in filing the above First Appeal stands condoned. List the First Appeal for admission on 20/07/2016. The above Civil Application is accordingly disposed of.

[R.M.SAVANT, J]