

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

CAF No. 1432 of 2015 In FA (St) No. 18400 of 2015

Smt Laxmibai v. Meghraj and ors

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

Court's or Judge's orders

Shri Asghar Hussain, Advocate for applicant
Shri M. R. Johrapurkar, Advocate for respondent no. 3
None appears for respondents no. 1 and 2 though served

Coram : Prasanna B. Varale, J

Dated : July 18, 2016

Heard learned counsel for the applicant. There is delay of 311 days caused in filing First Appeal. It is submitted that due to illiteracy and paucity of funds, the applicant was unable to take steps within a reasonable period. It is submitted that the applicant is a lady engaged in household work and was not conversant with the legal nicities.

Shri M. R. Johrapurkar, learned counsel for the respondent no. 3 opposes the application.

In view of the submissions made and for the reasons stated in the application, delay caused in filing the appeal is condoned. Application stands disposed of accordingly.

First Appeal (St) No. 18400 of 2011 : Heard. It is submitted that the learned Member of the Maharashtra Accident Claims Tribunal grossly erred in awarding inadequate compensation. It is submitted that the learned Tribunal failed to appreciate the material aspects viz. age of the deceased-victim and academic qualification of the deceased. It is further submitted that the Tribunal failed to apply appropriate multiplier on the backdrop of the age of the victim.

Admit. Call for R & P.

Shri M. R. Johrapurkar, learned counsel waives
notice for respondent no. 3.

JUDGE

joshi