

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**62 CIVIL APPLICATION NO. 10812 OF 2013
IN FAST/17468/2013**

**ATIIYABEE SHAIKH SALIM AND OTHERS
VERSUS
SUSANTAKUMAR PANDA AND ANOTHER**

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**Advocate for Applicants : Mrs. Ansari A. N.
Advocate for Respondent No.2 : Mr. R. F. Totala**

CORAM : K. L. WADANE, J.

DATE : 25th September, 2017

ORDER:

1. Heard Mrs. Ansari Learned counsel for the applicant.

2. This is an application for condonation of delay of 170 days caused in filing of the first appeal. The delay is sought to be condoned on the ground that after the death of the deceased, the applicant/original claimants were facing financial difficulties. It is only after getting the amount of compensation granted to the applicants, they made arrangement for filing the appeal for enhancement of the compensation. The learned counsel submits that applicant No.1 is a household lady. Applicant no.2 has just attained the majority and other applicants are minors. It is submitted that the delay is caused for the reasons beyond the control of the applicants.

3. In view of the above and for the reasons stated in the application, the application is allowed. The delay caused in filing of the appeal is condoned. Civil application disposed of.

4. In first appeal, issue notice to the respondents, returnable on 04.12.2017.

(K. L. WADANE, J.)

JPC