

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

912 CIVIL APPLICATION NO. 12782 OF 2016
IN FAST/18657/2016

JANABAI GAJANAN HAJARE
VERSUS
THE I.C.I.C.I. LOMBARD GENERAL INSURANCE CO. LTD.
THRITS DIVISIONAL MANAGER AND

...
Advocate for Applicant : Mr. Bide Dnyaneshwar A
R/1 & 2 Served..

CORAM : P.R.BORA, J.

DATE : 21st June, 2017.

PER COURT :

1) Heard. Though Respondent Nos. 1 & 2 are duly served, none of them has entered appearance in the matter.

2) Delay of 568 days has occurred in filing the present appeal by the appellant, who is the original claimant. Learned Counsel at the outset submitted that the appellant/applicant will not claim any interest for the period of delay, if she succeeds in the appeal and amount of compensation is enhanced, on the said enhanced

amount of compensation. The learned Counsel further submitted that the applicant was not possessing any means to approach this court and only after some amount was received towards the compensation that she has complied with the formalities and the present appeal has been preferred.

3) Having regard to the explanation so offered by the applicant, I am inclined to allow the present application. Moreover the applicant has also undertaken not to claim interest for the period of delay. The application is allowed. The delay caused in filing the present appeal is condoned. The appeal be registered in accordance with law. CA for condonation of delay stands disposed of.

4) It is clarified that the applicant/appellant will not be entitled for any interest, as undertaken by her for the period of delay on the enhanced amount of compensation in

the event the amount of compensation is enhanced.

5) After registration of the appeal, issue notice to the respondents, returnable on 19th July, 2017.

6) A copy of this order be kept along with papers of the appeal.

(P.R.BORA,J.)

bdv/