

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

926 CIVIL APPLICATION NO. 16377 OF 2016
IN FAST/34811/2016

PUSHPABAI PANDURANG MAHAJAN AND ORS
VERSUS
THE INSPECTOR GENERAL OF POLICE MOTOR DISPATCH,
MAHARASHTRA STATE, PUNE AND ANR

...
Advocate for Applicants : Mr. M.M. Bhokarikar
AGP for Respondents : Mr. S.R. Yadav

...
CORAM : K.K. SONAWANE, J.

DATED : 14th SEPTEMBER, 2017.

Order :-

1. Heard learned counsel for the applicant and learned AGP for respondents.
2. Perused the application. The matter pertains to the motor accident claim under section 166 of the Motor Vehicles Act. The applicant claimed compensation for the death of deceased Pandurang Mahajan, who was the husband of applicant No. 1 and father of applicants No. 2 to 4. The deceased Pandurang was employed as Police Head Constable in Muktainagar Police Station at the relevant time of mishap. The applicant is intending to file appeal for enhancement of compensation amount awarded by the learned Tribunal. But, there is an delay in filing the appeal. Hence, applicant preferred present application for condonation of delay.
3. Considering the nature of subject-matter and reasons mentioned in the application, there is no impediment to condone the delay. It

would not cause injustice or prejudice to the respondents. In contrast, it would sub-serve the purpose for substantial justice. Hence, the application is allowed in terms of prayer clause "B". The delay caused in preferring the appeal against the impugned Judgment and Award passed by the learned Tribunal is hereby condoned. Registry to take requisite steps for further process.

4. Meanwhile, call for record and proceedings.
5. Civil Application is allowed in above terms and stands disposed of.
6. On Registration of appeal, issue notice to respondents. The learned AGP waives service of notice on behalf of respondents.
7. After procedural compliance, list the appeal for final hearing at the admissions stage.

Sd/-

[K. K. SONAWANE]
JUDGE

MTK