

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

**CIVIL APPLICATION NO. 1070 OF 2010
IN
FIRST APPEAL (ST.) NO. 28016 OF 2009**

Smt. Manta Vipul Shah & Ors. ...Applicants

Versus

Mr.Laxman T.Banapatte & Anr. ...Respondents

.....
Mr.A.M.Gokhale for the Applicants.

.....

**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: AUGUST 09, 2017**

P.C. :

1. Learned counsel for the applicant has filed an affidavit of service of respondent nos. 1 and 2 . None present for the respondents.

2. This Civil Application is moved for condonation of delay of 455 days in filing appeal against the Judgment and Award dated 01.02.2008 passed by the learned Chairman, Motor Accident Claims Tribunal, Mumbai.

3. Learned counsel for the applicants submits that due to dire cash crunch, old age, associate sickness etc., it was not possible for the applicants to make an arrangement of the Court Fees of Rs.7,40,000/- and also the balance claim of Rs.49 lakhs.

4. In view of the uncontroverted submissions and the reasons mentioned in paragraph no. (iii) of the Civil Application, the delay is condoned. Civil Application is allowed in terms of prayer clause (a).

5. First Appeal be registered and place the same for admission on 20.09.2017.

(MRIDULA BHATKAR, J.)