

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

919 CIVIL APPLICATION NO. 9840 OF 2016
IN
FIRST APPEAL NO. 13052 OF 2010
IN
RC/1360/2010

BALAJI BABURAO TADME & ANR.
VERSUS
SANJAY SAMBHAJI NILAPALIE & ORS.

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Mr. N.D.Kendre, Advocate for Applicants.
Mr. S.V.Gunale, Advocate for R – 1 & 2.
Mr. M.S.Patil h/r Mr. D.P.Deshpande,
Advocate for R – 3.

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CORAM : K.K.SONAWANE, J.
DATE : 28th JUNE, 2018

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ORAL ORDER :

1. Heard the learned counsel for the parties. Perused the application.
2. The matter pertains to the condonation of 199 days delay in filing First Appeal against the impugned Judgment and Award passed by the Motor Accident Claims Tribunal, Udgir Camp at Ahmedpur in M.A.C.P. No. 64/2008. In view of the reasons mentioned in the application and the nature of the subject matter being a petition for compensation arising from vehicular accident in regard to the death of family members of the applicants, there is no impediment to condone the delay.
3. Accordingly, the application stands allowed in terms of prayer clause 'B'. The delay caused in filing First Appeal is condoned. Registry to take requisite steps for further process.

4. On registration of Appeal, issue notice to the respondents. Mr. S.V.Gunale, learned counsel waives service of notice for respondent Nos. 1 and 2 and Mr. M.S.Patil holding for Mr. D.P.Deshpande, learned counsel waives service of notice for respondent No. 3. Call record and proceedings from the concerned Tribunal.

5. After due compliance of the formalities, list the Appeal for admission.

[K.K.SONAWANE]
JUDGE