

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

**CIVIL APPLICATION NO. 788 OF 2015
IN
APPEAL FROM ORDER STAMP NO. 20777 OF 2011**

Amirunisa Mehboobkhan and another ... Applicants

Versus

Dayalal Hiralal Chavda and another ... Respondents

.....

None for the Applicants.

Ms Shalini Shankar, Advocate for the Respondent No.2.

.....

CORAM : A. S. CHANDURKAR, J.

DATE : 27th NOVEMBER, 2018.

P. C.:

1. By this application it is prayed that the delay in filing the appeal challenging the judgment of the Motor Accident Claims Tribunal, Diu, be condoned.

2. The Claims Tribunal by the impugned order has held that it has no jurisdiction to entertain the proceedings. The appeal has been filed by the original claimants who are the legal heirs of the deceased. Though the prayer as made is opposed by the learned Counsel for the respondent No.1, considering the reasons mentioned, the delay in filing the First Appeal stands condoned.

3. Civil application is allowed and disposed of.

(A. S. CHANDURKAR, J.)