

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION(F) NO.1897/2016 IN FIRST APPEAL STAMP
NO.559/2016

Chandabai wd/o Murlidhar Karnuke and ors. ..vs.. Sanjeev s/o Anilkumar
Arora and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms. Pathade, Advocate for applicants.

CORAM : V.M. DESHPANDE, J.
DATED : OCTOBER 5, 2018

This is an application for condonation of delay. The applicants have filed the appeal before this Court challenging the judgment and award dated 14.07.2015 passed by learned Member, Motor Accident Claims Tribunal, Nagpur in Claim Petition No.518/2010. By the said award, the Court below partly allowed the claim petition filed on behalf of the present applicants and granted compensation of Rs.3,30,000/- inclusive of no fault liability along with interest.

Feeling aggrieved, the applicants have filed the present appeal. However, there is a delay of 86 days. Hence, the present application is filed.

. Notices on this application were issued to the non applicants on 18.06.2017. Office note shows that respondent no.1 is served by paper publication. Though, respondent no.2-New India Assurance Company is duly

served, nobody is appearing on behalf of the company. Consequently, the averments made on affidavit by the claimants have remained uncontroverted. Further, after hearing the learned counsel for the applicants and after having gone through the contents of the application, I am satisfied that the applicants have made out a case for condonation of delay in preferring the appeal.

Hence, the application is allowed. Delay of 86 days in filing the appeal is hereby condoned. Office is directed to register the appeal.

The application is disposed of.

First Appeal Stamp No.559/2016

Heard.

ADMIT. Call for the record and proceedings.

JUDGE