

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CAO NO. 784/2018
AND
MCA (ST.) NO. 4284/2018
IN
FIRST APPEAL (ST.) NO. 16110/2017

Jubedabai Wd/o Sk. Najir & ors.

..VS..

Raju S/o Ganpat Takade & ors.

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

Court's or Judge's orders

Shri P.R. Agrawal, Advocate for the applicant/appellant(s)

CORAM : Z.A.HAQ, J.
DATED : 10/09/2018

Being dissatisfied with the amount of compensation determined by the Motor Accident Claims Tribunal, the claimants filed the appeal praying for enhancement of the amount of compensation. As the office objections were not removed within time and the Court fees stamps were not supplied, the registration of the first appeal was refused as per the order passed by the Registrar (J.) on 23/01/2018. The appeal was rejected without notice to the non-applicants/respondents.

Considering the facts of the case and the explanation given in the application, delay of 7 days in filing the Miscellaneous Civil Application (St.) No. 4284/2018 is condoned, the order passed by the learned Registrar (J.) on 23/01/2018 is set aside and the first appeal is restored.

The civil application and the miscellaneous civil application are allowed accordingly. No costs.

FIRST APPEAL (ST.) NO. 16110/2017

Taken up for hearing on admission.

The learned advocate for the appellants states that the Court fee stamp for the deficit Court fee is available with him and can be deposited by tomorrow.

Accepting the above submission, the appellants are granted a week's time to deposit the Court fee stamp for the Deficit Court fee and to remove the office objections.

On compliance with the above order, issue notice to the respondents, returnable on 28/11/2018.

Call R. & P.

CIVIL APPLICATION (F) (ST.) NOS. 2866/2018 & 21343/2018

In view of the order passed in CAO No. 784/2018, MCA (St.) No. 4284/2018 and F.A. (St.) No. 16110/2017, these applications praying for condonation of delay in removing the office objections and for grant of time to deposit the Deficit Court fee do not survive. They are **disposed** accordingly. No costs.

JUDGE

Ansari