

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

945 CIVIL APPLICATION NO.14283 OF 2019
IN FAST/36411/2019

JANARDHAN PANDURANG SONAWANE

VERSUS

THE MANAGER, UNITED INDIA INSURANCE CO. LTD., BRANCH SANGAMNER
AND OTHERS

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Advocate for Applicants : Shri Langhe Vijay R.

CORAM: V.L. ACHLIYA, J.

DATE: 13.12.2019

PER COURT :

1] This application is moved for bringing L.Rs. of deceased applicant no.2 – appellant no.2 on record.

2] In brief, it is the contention of learned counsel for the applicants that the Tribunal has passed judgment and order fixing the liability of payment of compensation on owner of the vehicle. While passing the order, applicant no.2 – Sambhaji Pandurang Sonawane was not alive. The Tribunal was not aware about the death of applicant no.2 – Sambhaji. In this background, the learned counsel submits that to prosecute the appeal, it is necessary to bring the L.Rs. of deceased applicant no.2 – appellant no.2 on record in the application seeking condonation of delay as well as appeal. It is submitted that there is delay in filing the application.

3] On due consideration of the submissions advanced, I am of the view that the application deserves to be allowed. The appeal is still at the stage of admission. No prejudice would be caused to the respondents if application is allowed. Accordingly, the application is allowed in terms of prayer clause (B). Necessary amendment / substitution be carried out in the application seeking condonation of delay as well as in the memo of appeal within two weeks. Civil application is disposed of in above terms.

(V.L. ACHLIYA, J.)