

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

**CIVIL APPLICATION NO. 1984 OF 2009
IN
CROSS OBJECTION (ST.) NO. 11040 OF 2009
IN
FIRST APPEAL NO. 647 OF 2005**

Chimaji Maruti Pawar & Anr.

..... Applicants.

Vs.

Popatlal Chunilal Gandhi & Anr.

..... Respondents.

.....
Sharad Bhosale i/b Dilip Bodake for the Applicants.
Hrishikesh Shinde for Respondent No. 1.

.....
CORAM : K.K.TATED, J.
DATED : SEPTEMBER 17, 2019

P.C.

- 1 Heard Learned Counsel for the parties.
2. By this Civil Application, the Applicants/Original Claimants are seeking condonation of delay in filing the cross objection in First No. 647 of 2005.
3. The Learned Counsel for the Applicants submits that, in the present proceeding, the Applicants/Original Claimants filed Motor Accident Claim Petition No. 12/1996 under Section 166 of the Motor Vehicles Act, 1988 claiming the compensation of Rs. 1,50,000/-. He submits that, the Motor Accident Claims Tribunal, Satara by its impugned judgment and award dated 31st July, 2003

granted only sum of Rs. 1,00,000/- compensation with interest @ 9% p.a. Hence, the Applicants decided to file Cross Objection for additional compensation.

4. Considering the submission made by the Learned Counsel for the Applicants and the averments made in Civil Application, I am satisfied that the Applicants have made out a case for allowing this Civil Application. Hence, the following order:

- a. Delay in filing the Cross Objection is condoned.
- b. Civil Application is disposed of accordingly.
- c. No order as to costs.

(K.K.TATED, J.)