

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION
CIVIL APPLICATION NO.1792 OF 2017
in
FIRST APPEAL (St) NO.15749 of 2017**

The General Manager,
BEST Mumbai

.. Applicant

vs

1.Kiswarjahan Shakir Hussain Khan & ors ..Respondents

Mr.Madhukar Kalzunkar with Ms.Chaitali Kandare
I/b M/s Navdeep Vora & Asso.for Applicant
Ms.Varsha Chavan for Respondents in FA and C.A.1793/2017
and for Applicant in CA No.3834/2017

CORAM : K.K.TATED, J
DATE : 25th MARCH, 2019

P.C

Heard learned counsel for the parties.

2. The applicant is seeking condonation of 210 days delay in filing the First Appeal challenging the Judgment and award dated 2.8.2016 passed by the MACT, Mumbai in Claim Application No.2604 of 2012 holding that the respondents/claimants are entitled to a compensation of Rs.22,75,000/- with 9 % p.a. interest p.a.

3. Considering the submissions made by the learned counsel for the applicant and averments made in the Civil

Application, I am satisfied that the applicant has made out a case for allowing the Civil application. Hence, the following order :

O R D E R

(i) Civil Application is allowed in terms of prayer clause (a) which reads thus :

“(a) the delay of 210 days in filing the above Appeal from the Judgment & Order dated 2.8.2016 passed by the Hon'ble Member, Motor Accident Claims Tribunal, Mumbai be condoned and the above Appeal be heard on merits.”

{K.K.TATED, J}