

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 CIVIL APPLICATION NO.8835 OF 2019
IN FAST/22660/2019

BABAN DHONDIBA SHINDE
VERSUS
THE DIV. MANAGER, M.S.R.T.C., AHMEDNAGAR.

Mr.K.N. Shermale, Advocate for the applicant.
Mr.B.S. Deshmukh, Advocate for sole respondent.

CORAM : S.M.GAVHANE,J.
DATED : 12.02.2020

P.C. :-

. The applicant-claimant has filed this application to condone delay of 161 days caused in filing appeal against the judgment and award dated 13.11.2018 passed by the Member, Motor Accident Claims Tribunal, Sangamner in MACP No.88 of 2014, as according to the applicant, compensation awarded is inadequate.

2. Learned counsel appearing for the applicant referring to the grounds mentioned in paragraph Nos.2 and 3, submitted that after obtaining certified copies of judgment and award, time was spent in arranging court fees required for filing appeal and therefore delay has been caused, which is unintentional and therefore same may be condoned.

3. Learned counsel appearing for respondent-insurance company opposed to grant the application, but there is no material to substantiate the objection.

4. Considering the submissions made by learned counsel for the applicant and the grounds referred to above, particularly mentioned in paragraph Nos. 2 and 3 of the application, I am of the view that applicant has shown sufficient cause to condone delay. Same needs to be condoned to decide the matter on merit.

5. Therefore, the delay is condoned. Application is allowed in terms of prayer clause (B).

6. The appeal be registered and it be placed for admission on 08.04.2020.

[S.M.GAVHANE, J.]