

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**22 CIVIL APPLICATION NO.15101 OF 2017
IN FAST/25436/2017 WITH CA/15102/2017 IN FAST/29604/2017**

**SMITA RAVINDRA FURSULE AND ANOTHER
VERSUS
BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD.,
THR BRANCH MANAGER NASHIK AND ANOTHER**

Mr. Lalitkumar S. Mahajan, Advocate for the applicants
Mr. S. B. Darvande h/f Mr. S. G. Chapalgaonkar, Advocate
for respondent No. 1.

**CORAM : S. M. GAVHANE, J.
DATED : 10.02.2020**

PER COURT :-

. Applicants/original claimants have filed this application to condone the delay of 24 days caused in filing the appeal against judgment and award dated 06/03/2017 passed by the Member, MACT, Dhule in MACP No. 445 of 2010, as according to applicants compensation awarded is inadequate.

2. Learned counsel appearing for the applicants referring to the grounds mentioned in paragraph Nos. 3,4 and 5 of the application submitted that applicant No. 1 widow of the deceased had to arrange for filing appeal on her own and therefore she could not file appeal in time and thus, delay has been caused. It is also submitted that applicants have no knowledge of law and time was spent in collecting necessary documents also.

It is submitted that thus, delay is unintentional and therefore same may be condoned by allowing the application.

3. Learned counsel appearing for respondent No.1 opposed to grant the application, but there is no material to substantiate the objection.

4. Nobody has appeared for respondent Nos. 2 and 3 though they have been served with the notice.

5. Considering the submissions made by the learned counsel appearing for the applicants and the grounds referred to above, particularly mentioned in paragraph Nos. 3, 4 and 5 of the application, I find that applicants have shown sufficient cause to condone the delay and the same is not intentional. Therefore, delay is condoned and application is allowed in terms of prayer clause (B).

6. Appeal be registered. After registering the appeal, it be placed for admission on 23/03/2020.

[S. M. GAVHANE, J.]