

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

903 CIVIL APPLICATION NO.353 OF 2019
IN FAST/355/2019 WITH CA/354/2019 IN FAST/355/2019

JATINDER DEOBHAN DUBEY AND ANR
VERSUS
RANJANA MARUTI GUTTE AND ANR

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Advocate for Applicants : Mr. Somani Yogesh G
Advocate for Respondents : Mr. Usmanpurkar Aniruddha S. for R/2

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CORAM : M.G. SEWLIKAR, J.
DATE : 10.02.2021

PC.:-

Heard Shri Somani learned counsel for the applicants and Shri Usmanpurkar learned counsel for the insurance company. None for the claimants.

2. On perusal of the application for condonation of delay, it appears that the delay was caused as, according to the applicants, their advocate did not inform them about the passing of the award. On getting knowledge of passing of the award, the applicants immediately preferred the appeal. Therefore, delay in preferring the appeal is caused which is neither intentional nor deliberate. Shri Usmanpurkar learned counsel for the respondent-insurance company objected to the condonation of delay stating that no

sufficient cause is made out. He submitted that the cause alleged is not at all sufficient cause therefore, application deserves to be dismissed.

3. Delay is of 185 days. According to the applicants their advocate did not inform them about the passing of the award. It appears to be a sufficient cause. Moreover, respondents can be adequately compensated with cost. In this view of the matter, delay is condoned subject to payment of cost of Rs.10,000/- to be deposited in this Court within four weeks.

[M.G. SEWLIKAR, J.]