

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

**986 CIVIL APPLICATION NO.12849 OF 2017
IN FAST/32703/2017**

UNITED INDIA INSURANCE CO. LTD., THR THE DIVISIONAL
MANAGER, AURANGABAD

VERSUS

MINAKSHI @ MEENABAI BABASAHEB BARGAJE AND ORS

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Advocate for Applicant : Shri Dargad h/f.

Shri S.G. Chapalgaonkar

Advocate for Respondent Nos.1 to 4 & 8 to 10:

Shri Ram B. Deshpande

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CORAM : M.G.SEWLIKAR, J.

DATE: 17th February, 2021

PER COURT:-

1. Learned counsel for both the sides state that respondent No.5 died during pendency of the application before the Tribunal. Therefore, her name needs to be deleted. Accordingly, name of respondent No.5 is deleted.

2. Heard learned counsel for the applicant on the application for condonation of delay.

3. There is delay of 116 days in preferring the appeal. Shri Dargad, learned counsel for the applicant states that the delay was committed as the proposal for appeal was forwarded to

Divisional Office Aurangabad from Latur. Thereafter, it was sent to Regional Office at Nagpur. Because of these formalities, the appeal could not be preferred within the period of limitation. In view of this, learned counsel for the applicant submits that delay deserves to be condoned.

4. Shri Ram B.Deshpande, learned counsel for the respondent Nos.1 to 4 and 8 to 10 submits that there is no sufficient cause of condoning the delay. He submits that entire amount of compensation is deposited in this Court. He states that if delay is condoned costs may be imposed on the applicant.

5. Having regard to the submissions made, application for condonation of delay is allowed subject to costs of Rs.3,000/- to be paid to be claimants.

(M.G.SEWLIKAR)
JUDGE

SPT