

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 1757 of 2016
(FOR CONDONATION OF DELAY)

IN
FIRST APPEAL (ST) No. 26465 OF 2015

Ms. Sonali Arjun Kamble ...Applicant
Vs.
Shri Gopinath Anant Bhoir and Anr. ...Respondents

Mrs.Rina Kundu for Applicant
Ms. Kalpana Trivedi for Respondent No.2- New India Assurance
Co. Ltd.

CORAM : MADHAV J. JAMDAR, JJ.

DATE : SEPTEMBER 18, 2021

P.C. :

1. Heard Mrs. Rina Kundu, learned Advocate for the applicant and Ms. Kalpana Trivedi for Respondent No.2- New India Assurance Company Ltd.
2. This civil application is for condonation of delay of 248 days in preferring the appeal. The Applicant has stated that due to financial constraints and serious injuries and disabilities caused to the Applicant by the accident, there is a delay in filing the First Appeal.
3. Ms. Trivedi strongly objected in granting the application. She submitted that the reasons set out in the application are not sufficient.

4. The impugned judgment and award is dated 23rd September, 2014 by which compensation of Rs.6,75,000/- was awarded to the applicant. The present appeal is for enhancement of the compensation. The Applicant has stated that due to the accident, her physical condition is very precarious and she is suffering from disabilities. It is stated that due to serious injuries, she cannot travel by the train and needs one attendant. It is stated that time was required for arranging the court fees and for other expenses.

5. The reasons set out in the application are sufficient. The delay is not very inordinate. Therefore, the Civil Application is allowed by condoning the delay in filing the first appeal.

6. There is no order as to costs.

(MADHAV J. JAMDAR, J.)

V A Tikam