

Dinesh
S.
Sherla

Digitally
signed by
Dinesh S.
Sherla
Date:
2021.01.27
14:23:34
+0500

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 341 OF 2020
IN
FIRST APPEAL (ST) NO. 23848 OF 2019**

Shankar R. Gawade and anr. ... Applicants/Org.Appellants
V/s.
Kum. Vanita G. Gawade and ors. ... Respondents

Mr. Rajdeep D. Gude i/b Khandeparkar & Associates for the
Applicants/Appellants.

CORAM : N.R. BORKAR, J.

DATE : JANUARY 25, 2021.

P.C.

1] This is an application for condonation of delay of 14 years 348 days in filing the first appeal against the judgment and award dated 8.6.2004 passed by the learned Member, Motor Accident Claims Tribunal, Sindhudurg-OROS in Claim Petition No. 57 of 1999.

2] It is submitted on behalf of the applicants that the Lawyer who was representing the applicants before the Tribunal did not inform them about the impugned judgment and award. The submission cannot be accepted as duty is

cast upon the litigant also to keep in touch with his Lawyer and ascertain the status of his case intermittently.

3] It is stated in the application that the applicants came to know about the judgment and award dated 8.6.2004 in the month of April, 2019. However, source of knowledge is not spelled out. On the basis of such vague averments, the inordinate delay of 14 years cannot be condoned. In the result, the following order is passed.

A] Civil Application No. 341 of 2020 is dismissed.

B] Consequently, First Appeal (St) No. 23848 of 2019 is also dismissed.

(N.R. BORKAR, J.)