

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (F) NO. 317 OF 2021 IN FIRST APPEAL STAMP
NO. 2334 OF 2021

Narayani Gokhare and others Vs. M/s Lloyds Metal and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms. S.P. Girtkar, Advocate for the applicants
Mr. M.P. Khajanchi, Advocate for non-applicant No.1
Mr. Ashish W. Paunikar, Advocate for non-applicant No.2

CORAM : V.M.DESHPANDE, J.

DATE : 16th DECEMBER, 2021.

Heard Smt. Giratkar, learned counsel for the applicants, who are the original claimants and the legal representatives of deceased Kamalnarayan Namdevrao Gokhare, who lost his life in vehicular accident. The claimants filed a Claim Petition before the Tribunal. The Tribunal vide judgment and Award dated 20/07/2019 partly allowed the claim. The claimants felt that inadequate compensation was granted to them, therefore, they preferred appeal before this Court. However, there is delay of 464 days in preferring the appeal.

2. Notices on this application were issued by this Court (Coram : Anuja Prabhudesai, J.) on 15/02/2021. Notices are served upon the non-applicants. For non-applicant No.1 - M/s Lloyds Metals & Energy Ltd. Shri M.P. Khajanchi, learned

counsel appeared, whereas for non-applicant No.2 – The Branch Manager, The New India Assurance Co., Chandrapur Shri A.W. Paunikar appeared. Through the non-applicants are served long back, as on today, no reply is filed by any of the non-applicants. Shri Khajanchi, learned counsel graciously submitted that he has no objection for allowing the application, however, Shri Paunikar, learned counsel for the insurance company submits that he has a formal objection for allowing this application.

3. The application for condonation of delay is on affidavit. The reasons are stated as to why they occurred delay. The statement of facts made on affidavit have remained uncontroverted. In view of the said and in view of the submissions that the non-applicant – insurance company has only formal objection, the present application is allowed. Delay stands condoned.

4. Office is directed to register the appeal.

5. Application is disposed of.

JUDGE

MP Deshpande

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P DESHPANDE
Signing Date:17.12.2021
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