

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

**909 CIVIL APPLICATION NO.345 OF 2022
IN
FAST/2043/2021**

**UMADEVI RAJU UMBARGE AND ORS
VERSUS
M/S. SHIVSHAKTI CONSTRUCTIONS COMPANY AND ANR**

...
Advocate for Applicants : Mr. V.D.Gunale
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CORAM : VINAY JOSHI, J.

DATE : 14th JANUARY 2022.

PER COURT :

1. This applicants seeking condonation of 9 days delay caused in filing appeal against the judgment and order dated 18.11.2019 passed by Motor Accident Claims Tribunal, Latur in M.A.C.P. No. 174 of 2012.

2. Appellant/Applicants were the claimants before the Tribunal, who have claimed compensation on account of death of husband of appellant No. 1, who died in vehicle accident dated 22.02.2012. It reveals from the impugned judgment that the Tribunal held that the appellants have failed to establish their entitlement for compensation, resultantly the claim petition was dismissed.

3. It is stated that the appellants are illiterate who are widow, children and age old parents of the deceased. Moreover, due to current pandemic situation they were not in a position to take assiduous action. It is a welfare legislation under which the claimants have approached for grant of compensation. The office has calculated the delay which is only of 09 days. Having regard to the marginal delay and the very purpose of beneficial legislation, I do not find it necessary to hear the other side on the point of delay. In view of that, for the reasons stated in the application, the delay deserves to be condoned. Hence following order is passed :

ORDER

- a. Application stands allowed.
- b. Delay caused in filing First Appeal stands condoned.
- c. Office to register the appeal.

(VINAY JOSHI, J.)