

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

**120 CIVIL APPLICATION NO.5996 OF 2020
IN FAST/2578/2020**

**HAUSABAI BHIMAJI GAIKE AND ANOTHER
VERSUS
SURESH BANUDAS LOKHANDE AND ANOTHER**

...
Advocate for Applicants : Mr. Jayabhar Dattatraya R.
Advocate for Respondent No.1 : Mr. K. M. Lokhande
Advocate for Respondent No. 2 : Ms. Sayali Tekale h/f.
Mr. S. G. Chapalgaonkar
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 21.11.2022

PER COURT :

Heard rival submissions. The applicants, who are the original claimants are seeking condonation of delay of 2606 days in filing the First Appeal. The delay appears to be caused due to their weak financial condition.

2. The learned counsel for the Insurance Company as well as respondent No.1 strongly opposed the application on the ground that nothing is mentioned in the application about the reason of delay. However, considering the statutory right of the applicants, the delay of 2606 days stands condoned subject to the condition that the applicants shall not claim any interest for the aforesaid period of delay, if the amount of compensation is enhanced.

3. The appeal be placed for admission after removal of office objections, if any.

4. The application is disposed of accordingly.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-