

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4048 OF 2020 IN
FIRST APPEAL ST. NO. 8270 OF 2019

Sandeep Madhukarrao More & others

Applicants

Versus

Dnyaneshwar Shivaji Jadhav & others

Respondents

Mr. T. T. Momin, Advocate holding for Mr. Fayaz Patel, Advocate for the applicants.

Mr. M. J. Sharma, Advocate holding for Mr. M. R. Deshmukh, Advocate for respondent No. 3.

CORAM : R. M. JOSHI, J.

DATE : 9th DECEMBER, 2022.

PER COURT :

1. This application is filed seeking condonation of delay of 154 days caused in preferring the appeal against the judgment and award dated 30th June, 2018 passed in M.A.C.P. No. 18/2016.

2. It is the contention of applicants that due to untimely death of the wife of applicant No. 1 and mother of co-applicants, they are leading miserable life and on that account the whole family is disturbed. It is also contended that due to financial difficulties some time was taken for arranging the amount required for payment of

Court fees. Learned counsel for the applicants submits that the delay is not deliberate and hence deserves to be condoned.

3. Learned counsel for respondent No. 3 strongly opposed the application. None appears for respondents No. 1 and 2 indicating that they do not desire to oppose the application.

4. The reasons put forth by the applicants are appealing and this Court finds no reason for not condoning the delay. Hence, delay is condoned subject to condition that applicant will not be entitled to interest on enhanced amount of compensation, if any, till the date of filing of the appeal. Appeal be registered. Application stands disposed of.

(R. M. JOSHI)
Judge

dyb