

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

**943 CIVIL APPLICATION NO.2037 OF 2017
IN FAST/32069/2016**

**SANDIPAN BHANUDAS KARMUKLE AND ANOTHER
VERSUS
SUDHAKAR MARUTI KESHVE AND OTHERS**

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Mr. A.N. Irpatgire, Advocate for the applicants.
Mr. A.B. Gatne, Advocate for respondent No.3.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 16.11.2022.

ORDER :

1. Heard rival submissions. The applicants are seeking condonation of delay of 177 days which appears to be caused due to their financial crisis. The learned Counsel for respondent No.3 Insurance Company strongly opposed the application on the ground that delay is not properly explained. None appeared for respondent Nos.1 and 2 despite service.

2. However, considering the statutory right of the applicants, the delay of 177 days stands condoned subject to condition that if the amount of compensation is enhanced then the applicants shall not claim any interest on the enhanced amount for the aforesaid period of delay.

3. The appeal be placed for admission after removal of office objections, if any. Place this order in the appeal itself.
4. The application stands disposed of.

(SANDIPKUMAR C. MORE, J.)