

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**Civil Application No. 1294 of 2018
In
First Appeal (st) No. 20354 of 2017**

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Shri Rajendra Ravilal Shah & ors. ... Applicants

v/s.

MSRTC ... Respondents

Mr. Sanjay Shinde for the applicant.

Mr. Ansari Faiyaz i/b. Amit A. Gharte for respondents.

CORAM : Anil S. Kilor, J

19th January 2022

P.C.

Heard learned counsel for the respective parties.

2. Shri Shinde, the learned counsel for the applicants, submits that there is delay of 152 days in filing appeal to challenge the Judgment and Award dt.06/10/2016 passed by the learned Member, Motor Accident Claim Tribunal, Mumbai in Motor Accident Claim Application No.998/2010.

3. It is submitted that the sufficient cause is shown in the

application particularly in Paragraph-3 onwards which is sufficient for condonation of delay. It is further submitted that delay is not intentional but bonafide.

4. On the other hand, the learned counsel Shri Ansari opposes the application, however, he fairly states that no reply has been filed to this application.

5. After going through the application, more particularly, the reasons stated in Paragraph-3 onwards in the application and in absence of any rebuttal to the said facts, I find that the reasons given in the application are sufficient for condonation of delay. Accordingly, I pass the following order:

ORDER

- i) The Application for condonation of delay is allowed.
- ii) The delay caused in filing First Appeal is condoned. The office is requested to register the First Appeal and place the same before the Court for admission.

(Anil S.Kilor, J)