

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CIVIL APPLICATION (CAF) NO. 2545 OF 2018

IN

FIRST APPEAL (ST) NO. 9224 OF 2012

Nanda wd/o Madhukar Waichal and Ors.

Vs.

Lakhansingh Ramsingh Solanki and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Raju Kadu, Advocate h/f Mr. S.D. Chande, Advocate
for applicants.

Mr. A.W. Paunikar, Advocate for respondent No.3.

CORAM : ABHAY AHUJA, J.

DATE : 13.09.2022.

This is an application seeking condonation of delay of 83 days in filing first/cross appeal against the judgment and award passed by the Motor Accident Claims Tribunal, Washim, in MACT No.124/2007 dated 06.09.2011, by which the Tribunal has allowed the claim of Rs.6,97,000/- as against Rs.24,00,000/-.

2. Mr. Kadu, learned counsel for the original claimants has drawn attention of this Court to paragraph 3 of the application to explain the delay caused in filing the appeal.

3. Mr. Paunikar, learned counsel for the respondent No.3 submits that the Insurance Company was also aggrieved by the very same decision and filed First Appeal No.50/2012, which has already been admitted and as such, he has no objection, if the delay is condoned.

4. Having heard the learned counsel for the parties and having perused the documents on record, this Court is of the view that sufficient cause has been made out for condoning the delay of 83 days in filing the first appeal by the applicants. The delay of 83 days is hereby condoned.

5. Let the First/Cross Appeal be registered.

6. The Registry is directed to list the duly numbered appeal along with First Appeal No.50/2012 and both the appeals be listed on **06.10.2022.**

7. Let the copy of duly registered appeal be served on the Insurance Company and the other respondents within a period of **three weeks**. The learned counsel to serve the respondent No.1 by the next date.