

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

**CIVIL APPLICATION (CAF) NO. 1572 OF 2022
IN
FIRST APPEAL (ST) NO. 9430 OF 2022**

Smt. Rekha wd/o Raju Pawar and Ors.

Vs.

Vinod Shrikrishna Naraware 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. Pratik B. Ganorkar, Advocate for applicants.
Mr. Vivek Awchat, Advocate for respondent No.2.

CORAM : ABHAY AHUJA, J.

DATE : 12.09.2022.

This is an application seeking condonation of delay of 276 days in filing the first appeal against the judgment and order dated 02.07.2019 passed by the Motor Accident Claims Tribunal, Darwaha, in MACP No.15/2016, pursuant to which the trial Court has granted compensation of Rs.4,44,000/- against the claimed amount of Rs.20,00,000/-.

2. The learned counsel for the appellant/applicant has drawn attention of this

Court to paragraphs 3 and 4 to explain the delay caused in filing the appeal. The learned counsel submits that the delay was caused due to Covid-19 Pandemic, the applicant being a housewife did not have resources to appoint counsel.

3. The learned counsel for the respondent No.2 – vehicle owner has filed a cross objection. He submits that nowhere in the application it has been stated that the amount of compensation awarded by the learned Tribunal has been received by the applicant.

4. Having heard the learned counsel for the parties and having perused the application, as well as reply filed on behalf of the respondent No.2 – vehicle owner, this Court is of the view that there is sufficient cause for condoning the delay of 276 days. The delay of 276 days in filing the first appeal is condoned.

5. The civil application stands disposed of.

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Since the delay is condoned, the appeal be registered.

6. Issue notice to the respondents, returnable on 03.10.2022.

7. Mr. Vivek Awchat, learned counsel waives service of notice on behalf of respondent No.2.

8. Learned counsel for the appellant undertakes to supply copy of the appeal to respondent No.2 within a period of two weeks.

2. Let the appeal be listed for admission on 04.10.2022.

JUDGE