

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application (F) No.3386/2018 in First Appeal St No.26555/2017

Gajanan Shende and another V Ajay Soni and others

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

Court's or Judge's Orders

Mr. Kunal Mirache, Advocate for the applicants.

CORAM : ABHAY AHUJA, J.

DATE : 14-09-2022

Heard the learned Counsel for the applicants. None for the non-applicants despite service.

By this application, the applicants are seeking condonation of delay of 2157 days in filing the appeal against the order dated 05-10-2011 passed by the M.A.C.T., Nagpur in Claim Petition No.05/2007, seeking to enhance the compensation granted by the Tribunal.

The learned Counsel for the applicants submits that the deceased was 21 years old and she died in the accident on 27-11-2006 and at the time of filing of the application applicant no.1 was aged about 68 years and suffering from various diseases. Therefore, he was unable to file this appeal in time. He also submits that it is only in the month of May 2017, the applicants came to know that the compensation awarded by the Tribunal was much less than claimed by them. The learned Counsel draws attention of this Court to paragraphs 2, 3 and 4 of the application

to explain the delay.

Having heard the learned Counsel for the applicants and having perused the application, this Court is satisfied that there is sufficient cause made out for condonation of delay.

The delay of 2157 days in filing this appeal is condoned.

The Registry is directed to register the First Appeal.

Application stands disposed.

First Appeal St No.26555/2017

List the First Appeal on 12-10-2022.

(Abhay Ahuja, J.)