

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

921 CIVIL APPLICATION NO. 1856 OF 2022  
IN FAST/7269/2020

Sarita Munjaji Kurhe And Ors

VERSUS

Santosh Balasaheb Kurhe And Ors

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Advocate for Applicants : Mr. Agrawal Pavankumar S.

Advocate for respondent no. 2 : Abhijeet Choudhari

...

CORAM : NEERAJ P. DHOTE, J.

DATED : 22<sup>ND</sup> DECEMBER 2023

PER COURT : -

1. Heard learned advocate for the applicants and learned advocate for respondent no. 2 / Insurance Company. None for respondent no. 1 though served.

2. This is an application for condonation of 34 days delay in preferring the First Appeal against the Judgment and Decree / Award dated 19.10.2019 passed by the learned Motor Accident Claim Tribunal, Parbhani in M.A.C.P. No. 340 of 2016.

3. It is the contention of the applicant that the deceased was sole bread earner in the family and after his death they had to manage the family by doing the labour work. It is contended that due financial constraints they could not file appeal within the prescribed time.

4. Learned advocate for respondent no. 2 – Insurance Company opposes the application.

5. The law in respect of condonation of delay is well settled by catena of judgments of this Court and of the Hon'ble Apex Court. In recent judgment in the case of **Sheo Raj Singh (Deceased) Through L.R.s and Others vs. Union of India & Anr., MANU/SC/1098/2023**, the Hon'ble Apex Court has considered the earlier judgment on the subject matter.

6. Considering the settled legal position and the reasons put forth by the applicants in the application for condonation of delay, the application is allowed and the delay of 34 days caused in filing the appeal is condoned. The office to register the Appeal.

**[NEERAJ P DHOTE]**  
**JUDGE**

SG Punde