

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

**CIVIL APPLICATION NO.6201 OF 2017 IN
FIRST APPEAL ST. NO. 9519 OF 2017**

Babita Ashok Nitnaware & another Applicants

Versus

Baliram Ashruba Markand & others Respondents

Mr. V. M. Jaware, advocate for the Applicants
None present for Respondent No.5.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 17th January, 2023.

PC :

Heard rival submissions.

The applicants, who are the claimants, are seeking
condonation of delay of only 36 days in filing the appeal.

Though the respondents are served, but only
respondent no.5-Insurance Company has appeared through
learned Counsel Mr. Upadhye. However, the said Counsel is
also absent today.

As such, considering the statutory right of the
applicants and short period of delay, it stands condoned,

subject to the condition that the applicants shall not claim any interest for the said delay period if any favourable order is passed in their favour in the appeal.

Appeal be placed for admission after removal of office objections, if any.

Civil Application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb