

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

**CIVIL APPLICATION NO. 8643 OF 2022 IN
FIRST APPEAL ST. NO. 11835 OF 2022**

Kamalbai w/o Rukmaji Konde
and others

Applicants

Versus

Rajesh s/o Om Giri & another

Respondents

Mr. S. D. Tekwad, advocate for the Applicants

Mr. S. S. Patil, advocate with Mr. R. H. Dahat, advocate for
Respondent No.2.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 04th January, 2023.

PC :

Heard rival submissions.

The applicant-claimants are seeking condonation of delay of 828 days which appears to be caused due to their financial crisis.

The learned Counsel for the Respondent No.2- Insurance Company strongly opposed the application on the ground that the delay is not properly explained.

The Respondent No.1-owner, though served, but

remained absent.

As such, considering the statutory right of the applicants delay of 828 days stands condoned subject to the condition that the applicants shall not claim any interest for the aforesaid period of delay on the enhanced compensation, if granted.

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

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb