

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

**958 CIVIL APPLICATION NO.7683 OF 2023
IN FAST/13389/2023**

**RIJWANA KHWAJA SHAIKH AND ORS
VERSUS
BABAJI PANDURANG TEMGIRE AND ANR**

...
Advocate for Applicants : Mr. Pathan Sartaj Khan H.
Advocate for Respondent 2 : Mr. M.D. Shinde
...

**CORAM : ARUN R. PEDNEKER, J.
DATED : 07/12/2023**

PER COURT :

1. The learned counsel for the appellants submits that there is delay of 328 days caused in filing the appeal. The learned counsel for the appellants submits that the appellants are poor people and did not have resources to file appeal and also they have to make arrangement for engaging advocate. The learned counsel submits that he would waive 50% of the interest amount and statutory benefits for the delayed period.
2. The learned counsel for the Insurance Company has strongly opposed the delay condonation application.
3. In view of the submissions made, the delay of 328 days caused in filing the appeal is condoned, subject to condition that the appellants will not be entitled for 50% of the interest and statutory benefits for the delayed period. The delay condonation application is allowed accordingly and disposed of.
4. The learned counsel appearing for the appellants submits that a very short point is involved in the matter and the matter can be disposed of at admission stage.
5. In view of the above submission, list the matter on 18.1.2024.

[ARUN R. PEDNEKER J.]

ssc/