

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

**5 CIVIL APPLICATION NO.13225 OF 2019
IN FAST/23290/2019**

**NOORJAHAN MUNNA PATHAN AND OTHERS
VERSUS
NATIONAL INSURANCE CO. LTD., THR ITS DIVISIONAL MANAGER,
AHMEDNAGAR AND ANOTHER**

...
Advocate for Applicants : Mr. S. S. Jangada h/f.
Mr. Shaikh Majit S.
Advocate for Respondent No.1 : Mr. Bodade S.R.
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 02.01.2023

PER COURT :

Heard rival submissions. The applicants / original claimants are seeking condonation of delay of 724 days in filing this appeal which appears to be caused due to their financial crisis. The learned counsel for the respondent No.1 -Insurance Company strongly opposed the application on the ground that the delay is not properly explained. Respondent No.2 -owner though served, but remained absent.

2. However considering the statutory right of the applicants, the delay of 724 days stands condoned subject to condition that the

applicants shall not claim any interest for the aforesaid period of delay on the enhanced compensation, if granted.

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

4. Application stands disposed of accordingly.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-