

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

CIVIL APPLICATION NO.11650 OF 2014
IN FAST/26576/2014 WITH CA/11660/2014 IN FAST/26570/2014
WITH CA/11661/2014 IN FAST/26573/2014

DULEBHAI YASIN SAYYED AND ANOTHER
VERSUS
SHOAIB WAHED PATEL AND OTHERS

...

Advocate for Applicants : Mr. S.B. Kendre h/f. Mr. Ravibhushan P.
Adgaonkar
Adv. for Respondents: Mr. A.B. Gatne.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 23rd JUNE, 2023

ORDER :-

1. The applicants/original claimants are before this court in appeal seeking enhancement of compensation. There is a delay of 599 days in filing the appeal. The applicants have explained the reasons in para.3 and 4 of the application.

The learned counsel for the applicants submits that the delay is not intentional and deliberate. The applicants are rustic persons and having financial difficulties. As such delay is caused.

3. Mr. Gatne, learned counsel for respondent No.3 Insurance company strongly opposes the prayer for condonation of delay on the ground that the reasons stated in para.3 and 4 do not constitute sufficient cause.

4. Having considered reasons as stated in the application, particularly, the fact that the applicants are seeking enhancement of compensation in a claim arising out of motor accident, it would be appropriate to condone the delay. Hence, the order :-

[a] The civil applications are allowed. Delay of 599 days caused in filing the appeal is condoned. Appeals be registered.

[b] Applications are disposed of.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-