

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3233 OF 2020

IN

FIRST APPEAL (ST) NO. 4770 of 2020

Pandharinath Ramchandra Labde

Since Deceased Thr. Lrs.

Savita Pandharinath Labde & Ors.

..... Applicants

VERSUS

M/S. Daksha Tours & Travels And Anr.

..... Respondents

Mr.Sachin K. Hande for the Applicants/Appellants.

Mr. S.S.Diwan i/b. Mr.Akshay Kulkarni for the Respondent No.2.

CORAM: ABHAY AHUJA, J.

DATE : 14th JULY, 2023

P.C:-

This application is filed by the original claimants seeking condonation of delay of 1 year and 220 days for preferring the First Appeal against the judgment and award dated 12th April, 2018 passed by the M.A.C.T., Thane in M.A.C.P. No. 448 of 2014 which came to be dismissed with costs.

2. Mr. Hande, learned counsel for the Appellants drew attention of this Court to paragraphs (2) to (8) of the application in support of his contention to condone the delay. Learned counsel particularly refers to paragraph (4) to submit that due to non-availability of funds, the applicant was not able to deposit the court fees and therefore the delay. Learned counsel for the Respondent No.2 has no particular objection if the delay is condoned. The respondent no.1 though served, is not represented/present.

3. Having heard learned counsel and having perused the application, let the delay of 1 year and 220 days be condoned. Let the First Appeal be registered.

4. Application is accordingly disposed off.

[ABHAY AHUJA, J.]