

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.3234 OF 2020
IN
FIRST APPEAL (ST.) NO.4773 OF 2020**

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Sulbha Dilip Pawar Alias
Sulabha Dilip Wadar & Ors.

... Applicants

V/s.

Sameer Dilwar Ibuse & Anr.

... Respondents

Mr. D.S. Joshi for the applicants.

Ms. Apurva Kulkarni i/by Mr. N.V. Bhutekar for the
respondents.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 8, 2023

P.C.:

1. The first appeal arises out of rejection of claim under the Workmen Compensation Act, 1923. There is delay of one (1) year and four (4) days in filing the present first appeal.

2. The applicants have explained reasons in paragraph 5. On perusal of the said reasons, it appears that the delay caused is due to bona fide mistake. Considering the reasons, no mala fides can be attributed to the applicants as the applicant is original claimant in the proceedings for compensation.

3. In that view of the matter, the applicants have made out a case for condonation of delay.

4. The interim application is, therefore, allowed in terms of prayer clause (a).
5. List the first appeal on **8th March 2023**.

(AMIT BORKAR, J.)