

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.383 OF 2019
IN
FIRST APPEAL (ST) NO.23967 OF 2018

MS.JIVIKA RAVINDRA KADAM – MINOR)
 REPRESENTED BY MATERNAL GRANDMOTHER)
 MRS.SUNITA ANNAT PATIL)...APPLICANT

V/s.

MRS.RUKSANA GANI BALBALE AND ANR.)...RESPONDENTS

Mr.Yash Dewal i/b. Ms.Pallavi Dabholkar, Advocate for the Applicant/
Appellant.

Mr.Sanskar Marathe, Advocate for the Respondent No.1.

Mr.Sandeep Jinsiwale, Advocate for the Respondent No.2.

CORAM : ABHAY AHUJA, J.

DATE : 22nd JUNE 2023

P.C. :

1. This is an application seeking condonation of delay of 1 year 117 days in preferring the Appeal against the judgment and award dated 19th January 2017 passed by the Motor Accident Claims Tribunal, Thane, in Motor Accident Claim Petition No.152 of 2014.
2. Mr.Yash, learned Counsel for the Applicant, draws the attention of this Court to paragraphs 2 to 4 of the application in support of his contention to condone the delay.

3. Mr.Marathe, learned Counsel for the Respondent no.1 has no objection. Mr.Jinsiwale, learned Counsel for the Respondent no.2 raises a formal objection.

4. It is observed from the application that the Applicant is a lay person and dependent on her grandmother, and as such, was unaware of the Court procedure and therefore the delay.

5. Having heard the learned Counsel and having perused the application, this Court is of the view that sufficient cause has been made out to condone the delay. Let the delay of 1 year 117 days in preferring the Appeal be condoned. Let the First Appeal be registered.

6. The Application stands disposed.

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7. List the First Appeal for Admission on **3rd August 2023** subject to removal of all office objections.

(ABHAY AHUJA, J.)