

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, NAGPUR**

**CAF NO.1610/2021 AND FA ST.NO.1896/2020**

**Zakir Husain Arif s/o Hatimbhai and anr**

**..VS..**

**Madhav s/o Ganpatrao Ghuse and ors**

.....  
Office Notes, Office Memoranda of Coram,  
appearances, Court orders or directions  
and Registrar's orders

Court's or Judge's Order

.....  
Shri S.K.Pardhy, Counsel for Applicants.

Shri N.S.Khandewale, Counsel for NA Nos.1 and 2.

**CORAM : URMILA JOSHI-PHALKE, J.**

**DATED : 02/03/2023**

1. By this application, claimants seek condonation of delay caused in filing appeal for enhancement of compensation against judgment and award passed by the Motor Accident Claims Tribunal at Nagpur. delay is of 287 days.

2. The claimants who lost their son seeks enhancement of compensation under beneficial legislation.

3. Learned counsel for respondents strongly opposes the application on the ground that the delay is not explained properly.

4. For reasons stated in the application, the application is allowed. The delay stands condoned. Office to register the first appeal. Record and proceedings be called for. Paper-book is dispensed with.

5. Learned counsel Shri N.S.Khandewale waives service for respondent Nos.1 and 2.

6. Place the appeal for final hearing after receipt of record and proceedings.

**CAF No.604/2023**

1. By this application, claimants seek permission to withdraw remaining amount deposited in a Nationalized Bank in Fixed Deposit. Rs.3,42,000/- is deposited in Union Bank of India in the name of applicant No.1/claimant and Rs.3,42,000/- in the name of applicant No.2/claimant.

2. For reasons stated in the application, the application is allowed. The claimants are permitted to withdraw the said amount along with accrued interest thereon.

3. The application is **disposed** of.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

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