

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 117/2023 F.A. ST. NO. 16994/2022

Ruprao S/O Shalikram Bhongade And Another

Vs

The Cholamandalam Ms Gen. Ins. Co. Ltd., Thr. Manager, Nagpur And Another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms Rohini Mankar, advocate h/f Mr P.S.Mirache, advocate for the
appellants/applicants..

Mrs Mrunal Naik, advocate for the respondent No.1.

Mr A.S. Band, advocate for the respondent No.2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 12/04/2023.

1. Heard.
2. The present application is for seeking condonation of delay which is caused in preferring the appeal against the judgment and award passed by the Member, Motor Accident Claims Tribunal-4, Nagpur.
3. Applicants are the original claimants. As per their contention, they could not file the appeal, as they were facing financial constraints and therefore, they could not arrange the amount for paying the Court fee stamps. Therefore, a delay of 93 days is caused in preferring the appeal.
4. The said application is strongly opposed by the learned advocate Mrs Mrunal Nail for respondent No.1

and Mr A.S. Band, learned advocate for respondent No.2 on the ground that, the delay is not properly explained.

5. Heard both the sides. Perused the application.

6. In view of the reasons mentioned in the application, due to financial constraints, the appeal could not be filed within the time and it appears to be just and reasonable grounds. In view of that, a delay of 93 days is condoned.

Civil application is disposed of.

First Appeal St. No. 16994/2022

1. First Appeal be registered.

2. **Admit**

3. Call for record and proceedings.

4. Mrs Mrunal Nail, learned advocate waives service of notice on behalf of respondent No.1.

5. Mr A.S. Band, learned advocate waives service of notice on behalf of respondent No.2.

6. Appellant to file private paper-book within a period of eight weeks after receipt of the record and proceedings.

7. Appeal be placed before the Court after filing of private paper-book, as per its own turn.

JUDGE