



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

985 CIVIL APPLICATION NO. 1288 OF 2023
IN FAST/34472/2022 WITH FAST 34472/2022

Allambi Mobin Dange And Ors

VERSUS

Shyampriya Autocarts Pvt Ltd, Faridabad And Ors

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Advocate for Applicant : Mr. Patel Fayaz K.

Advocate for Respondent 3 : Mr. A.S. Usmanpurkar h/f S.R
Bagal

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : April 18, 2024

PER COURT :-

1. The applicants seek to condone the delay of 138 days caused in filing the appeal against the award passed by the Tribunal under the provisions of the Motor Vehicles Act. The applicants are the original claimants and they are seeking enhancement of compensation.

2. Heard Mr Patel, learned advocate appearing for the applicants and Mr. Usmanpurkar h/f Mr. Bagal, learned advocate appearing for the respondent no.3. None appears for respondent nos.1 and 2 inspite of service.

3. Having considered the submissions advanced and reasons as stated in paragraph nos.2 to 6 of the application, case is made out to condone the delay. Hence, civil application is allowed. Delay of 138 days caused in filing the appeal is condoned. Civil application stands disposed off.

4. First Appeal be registered. On registration of the appeal, issue notice to the Respondents. Mr. Usmanpurkar h/f Mr. Bagal learned advocate waives notice for respondent no.3. Notice of respondent nos.1, 2 is made returnable on 25.6.2024.

5. Call for record and Proceeding.

6. Parties are put to the notice that matter will be heard finally on next date.

(S. G. CHAPALGAONKAR, J.)

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aaa/-