

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 99 OF 2024

Anita Shashikant @ Raju Damate And Anr. ...Appellants
Versus
Avinash Vasantrya Powar And Ors. ...Respondents

Mr. Raufa Shaikh i/b. Mr. Yuvraj Narvankar, for Appellants.
None for Respondents.

CORAM : M.M. SATHAYE, J.

DATE : 16 AUGUST 2024

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P.C. :

1. Heard learned counsel for the Appellants. None appears for Respondents, though served.
2. This is a death claim. The Appellants/Claimants are widow and mother of the deceased. As as per impugned Judgment and Award, the claim is dismissed.
3. Learned counsel for the Appellants invited this Court's attention to paragraph Nos. 7 and 14 of the impugned Judgment and submitted that there was sufficient evidence before the Tribunal to conclude that the offending vehicle (Wagon R) was involved in the accident, which is borne out of the police record. She submits that the Tribunal has erroneously concluded that concerned vehicle was not at all involved in the accident.
4. Record shows that though the Respondents are served at the

state of condonation of delay, nobody is appearing for them today.

5. In light thereof, issue notice for final disposal to Respondents returnable on 27 September 2024. In addition to Court notice, private notice is permitted. The Appellants are at liberty to file compilation of the documents containing pleadings and oral as well as documentary evidence which was produced on record of the Tribunal.

6. Stand over to **27 September 2024**.

(M.M. SATHAYE, J.)