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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**937 CIVIL APPLICATION NO. 6643 OF 2023
IN FAST/12154/2023**

JYOTI GANESH CHAVAN AND ORS

VERSUS

AMOL RAMBHAU GITE AND ANR

....

Mr M. P. Kale, Advocate for applicants

Mr A. S. Shinde, Advocate for respondent No.1

Mr S. S. Sarda, Advocate h/f Mr M. R. Deshmukh, Advocate for
respondent No.2

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 4th July, 2025

PER COURT:

1. Heard learned counsel for the applicants/appellants and
learned counsels for respondent Nos.1 and 2.

2. This is an application for condonation of delay of 130
days in filing the first appeal. The applicants/appellants are the legal
representatives of deceased, who had died in the accident. The
appellants are claiming enhanced compensation. Learned counsel for
the applicants submits that the delay of 130 days is unintentional and it
occurred due to illiteracy of the applicants. It is submitted that the
bread earner of the family had expired and the delay may be condoned
in the interest of justice.

(2)

3. Advocate Mr Shinde, learned counsel for respondent No.1 and Advocate Mr S. S. Sarda holding for Advocate Deshmukh, learned counsel for respondent No.2, though oppose the delay, however, considering the reasons mentioned in the civil application and the submissions advanced, the delay of 130 days is condoned. The civil application is allowed and disposed of.

4. First Appeal be registered and be fixed for admission on 30/07/2025.

(PRAFULLA S. KHUBALKAR, J.)

sjk