



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

**904 CIVIL APPLICATION NO. 15107 OF 2017
IN FAST/35306/2017**

SHABANA MUNNA PINJARI AND ORS

....Applicants

VERSUS

THE NEW INDIA ASSURANCE CO. LTD., AND ANR

.....Respondents

.....

Advocate for Applicants : Mr. Swapnil S. Dargad

Advocate for Respondent No.1 : Mr. M. M. Ambhore

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 06 FEBRUARY , 2025

ORDER

1. Admittedly the matter is dismissed against respondent No.2/owner and no steps are taken for restoration against him. However, the respondent No.1/Insurance Company has already satisfied the award as claimed by the learned counsel for the applicants/claimants. It is important to note that, Insurance Company has also not challenged the impugned award. Under such circumstances, when the appeal is only on the ground of quantum, there is no necessity to hear the respondent No.2/owner.

2. Heard rival submissions.

3. The application is filed for condonation of delay of 100 days in filing the First Appeal by the appellants/claimants for enhancement. Though the application is opposed, but

considering the short period of delay, the application stands allowed in terms of prayer clause (B) and disposed of.

4. Appeal be registered after removal of office objections, if any. The learned counsel for respondent No.1 waives service after registration of appeal.
5. Call record and proceedings.
6. Stand over to 20.02.2025.

(SANDIPKUMAR C. MORE, J.)

Y.S. Kulkarni