



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

**CIVIL APPLICATION NO. 4602 OF 2022
IN X-APLST/35793/2019**

Ashabai Rohidas Nikam And Ors

VERSUS

The New India Assurance Co. Ltd., Thr Its Divisional Manager,
Aurangabad And Anr

...

Mr. M. M. Bhokarikar, Advocate for Applicants

Mr. M. R. Deshmukh, Advocate for Respondent no.1

.....

CORAM : AJIT B. KADETHANKAR, J.

DATED : 16TH OCTOBER, 2025

ORDER :-

. Heard Mr. M. M. Bhokarikar, learned Advocate for the applicants/claimants in the original claim petition and Mr. M. R. Deshmukh, learned Advocate for respondent no.1.

2. Feeling aggrieved by the judgment and award dated 28.01.2016, passed by the learned Member, Motor Accident Claims Tribunal, Jalgaon in Motor Accident Claim Petition No.07 of 2007, the applicants have filed this appeal seeking enhancement in the compensation.

3. Mr. M. M. Bhokarikar, learned Advocate would submit that there is delay of 1260 days caused in filing present cross Appeal. He would submit that the delay is well explained in paragraph nos.2 to 6 of the Civil Application. He would

further submit that as against the same judgment and award, the Insurance Company has also filed appeal in this Court, which is pending. Mr. Bhokarikar, learned Advocate would submit that in view of that, the delay caused in filing Cross Appeal be condoned and the appeal filed by the claimants be heard together with the appeal filed by the Insurance Company. He submit that the claimants are ready to waive the request for period of delay.

4. Mr. M. R. Deshmukh, learned Advocate extends his no objection for allowing the application.

5. In view of above, I pass following order:

ORDER

- a. Civil Application stands allowed.
- b. Delay of 1260 days is hereby condoned.
- c. Registry to register the Cross Appeal.

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. Issue notice to the respondents. Mr. M. R. Deshmukh, learned Advocate waives service of notice for respondent no.1/Insurance Company.

(AJIT B. KADETHANKAR, J.)