



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.7280 OF 2024
IN
FIRST APPEAL st. NO. 4980 OF 2024

Taramati Digambar Khandagale and Another.

...Appellants.

Versus

Rajendra Prabhakar Ubale and Another.

...Respondents.

Mr. C. K. Bhangoji for the Appellant.

Mr. Umesh Kurund for the Respondent No. 1.

Coram : Sharmila U. Deshmukh, J.

Date : April 1, 2025.

P. C. :

1. Interim Application has been preferred seeking condonation of delay of 33 days caused in filing First Appeal.
2. Learned Counsel appearing for the Appellant submits that proceedings arise out of Workmens Compensation Act and as the deceased was the only earning member of family, there were difficulties in arranging funds, which caused delay of 33 days in filing Appeal.
3. Office noting indicates that Respondent Nos.1 and 2 have been duly served. Learned Counsel appearing for the Respondent No.1 submits that there is no proper explanation for delay.

4. It is specifically pleaded in paragraph 2 of the Application that the deceased was the only earning member of family and upon his death, there were financial difficulties in arranging funds for Court fees and therefore there is delay of 33 days. As such the delay has been sufficiently explained and stands condoned.
5. Interim Application is allowed.
6. List the First Appeal for admission on **30th April 2025**.

[Sharmila U. Deshmukh, J.]