IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.6818 OF 2025
IN
FIRST APPEAL (ST.) NO.5116 OF 2025

Smt. Lila Devi ….Applicant/Appellant
Vs.
M/s. Rameshwa Infra Partners
Through Partner Mr. Dinesh L. Patel & Anr. ….Respondnets

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Mr. Jay Gupta i/b. Mr. S.S. Harkulkar, Advocate for Applicant.
Mr. Rashmi Nikam i/b. Mr. Dinesh Gupta, Advocate for Respondent No.1.

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CORAM : M.M. SATHAYE, J.
DATE : 25th JULY, 2025

P.C. :

1. This is an application for condonation of delay of 2 years 28 days in filing the appeal. The applicant is original Claimant in Employees Compensation Claim. Learned counsel for the Applicant submitted that under the impugned order, the Insurance Company has been exonerated and only employer has held as liable. Leaned counsel for the Applicant states on instructions that the Applicant is ready to forgo and will not claim the interest for the period of delay from both the Respondents, even if the Applicant is found entitled to compensation from Insurance Company. Statement accepted.

2. It is stated in application that the delay is not deliberate and intentional and has occurred on account of circumstances beyond the control of the applicant. It is submitted that Applicant is an illiterate

lady who is a migrant from remote village of another state and the claim is arising out of death of Applicant's son, who was a skilled labour and who died at a young age. It is further submitted that under the impugned order, Respondent No.2 Insurance Company has been exonerated.

3. Learned counsel for Respondent No.1 (employer) has opposed the delay condonation. Office note shows that Respondent No.2 Insurance Company is served. However, nobody is appearing for Respondent No.2. No reply is filed by either of the Respondents.

4. Considering the averments made in the application and aforesaid submissions, sufficient cause is made out. The application is allowed. Delay is condoned, subject to statement recorded above about not claiming interest for period of delay.

(M.M. SATHAYE, J.)