

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 7519 OF 2025
IN
FIRST APPEAL (ST.) NO. 499 OF 2020**

Smt. Jayshree Dilip Salunkhe and Ors. Applicants
V/s.

Pradeep Narsing Malge and anr. Respondents

Mr. Sandeep Mishra for the Applicants.

CORAM : SHYAM C. CHANDAK, J.

DATED : 28th APRIL, 2025

P.C. :-

. Heard learned Advocate for the Applicants.

2) At the outset, Mr. Mishra, learned Advocate for the Applicants seeks leave to amend the prayer clauses. Leave to amend, granted. Amendment to be carried out forthwith.

3) Present Application seeking condonation of 02 years and 30 days delay in filing this Application and to set-aside the conditional Order dated 01/02/2023 passed by the learned Registrar (Judicial-II) of this Court and to restore the Interim Application No.291 of 2020.

4) Mr. Mishra, learned Advocate for the Applicants states that there is only 20 days delay in filing the aforesaid Appeal which was sought to be condoned by way of Interim Application No.291 of 2020. He states that the Applicants have good case on merits.

5) It appears that the Applicants could not pursue the Application

for want of proper legal assistance. The Applicants are Claimants. They filed the aforesaid Appeal for enhancement of the claim. If the Appeal is not considered on merits, the Applicants would suffer for the mistake on the part of the Advocate's Clerk. Learned Advocate for the Applicants undertake to take prompt steps in Interim Application No.291 of 2020.

6) In view thereof and considering the object of compensation in the matters arising out of the motor vehicular accidents, the Application deserves to be allowed. Hence, following Order :-

(a) Interim Application is allowed.

(b) The delay of 02 years and 30 days in filing the aforesaid Interim Application is condoned.

(c) Order dated 01/02/2023 passed by the learned Registrar (Judicial-II) of this Court, is set-aside. Interim Application No.291 of 2020 be restored with immediate effect.

7) Interim Application No.7519 of 2025 stands disposed of.

8) Meanwhile, the Applicants are permitted to serve the Respondent Nos.1 and 2 in Interim Application No.291 of 2020, with private notice.

9) List the Interim Application No.291 of 2020 on **30th June, 2025.**

(SHYAM C. CHANDAK, J.)

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