

**Mehar Singh (deceased) through his LRs &
Ors. vs. Kuldeep Kaur & Anr.**

CMP(M) No.1629 of 2023

20.03.2024

Present: Mr. Surinder Saklani, Advocate, for the applicants.
Mr. Goldy Kumar, Advocate, for respondent No.1.
Mr. Pritam Singh Chandel, Advocate, for respondent No.2.

CMP(M) No.1629 of 2023

Mr. Goldy Kumar and Mr. Pritam Singh Chandel, Advocates, have put in appearance on behalf of respondents No.1 and respondent No.2, respectively. They have no objection in case prayer made in the application is allowed.

Having heard learned counsel for the parties and perused averments contained in the application, which is duly supported by an affidavit, this Court is convinced and satisfied that delay in maintaining the accompanying appeal, which is barred by 45 days, is neither intentional nor willful, rather same has occurred on account of circumstances, which were completely beyond the control of the applicant and as such, same deserves to be condoned.

Accordingly, for the reasons stated in the application, delay in filing the appeal, which in my considered view, has sufficiently been explained, is condoned. The application stands disposed of.

FAO No. _____ 2024

Be registered.

Admit.

Post Admission Notice.

Mr. Goldy Kumar and Mr. Pritam Singh Chandel, Advocates, have put in appearance on behalf of respondents No.1 and respondent No.2, respectively.

Record of courts below be called for.

CMP No._____2024

Be registered.

Subject to applicants' depositing the entire award amount alongwith up-to-date interest, within a period of six weeks from today, operation and execution of Award dated 19.6.2023 passed by learned Motor Accidents Claims Tribunal-I, Kangra at Dharamshala, District Kanga, H.P. in MAC Petition No.28-K/II/15/2010, titled Smt. Kuldeep Kaur vs. Mehar Singh & others, shall remain stayed. Application stands disposed of.

**(Sandeep Sharma)
Judge**

20th March, 2024
(reena)