

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

**CIVIL APPLICATION NO.2080 OF 2014  
IN  
FIRST APPEAL (ST) NO.3089 OF 2014**

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| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders. |
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Mr.Vijay Mane i/b Mr.S.A.Rajeshirke for the applicant

Mr.S.M.Dange for the respondent no.1

**CORAM : K.K.TATED, J.**  
**DATED : 27/03/2015**

**PC:**

- 1 Heard the learned counsel for the parties.
- 2 Though respondent nos.2 and 3 are duly served, no one appeared on behalf of them when the matter was called out.
- 3 This application is preferred by owner of the offending vehicle for condonation of 278 days delay in filing First Appeal challenging the judgment and award dated 24.1.2013 passed by MACT, Islampur in MACP No.25 of 2012.
- 4 On the other hand, the learned counsel for the respondent vehemently opposed the present Civil Application. He submits that applicant has not

shown sufficient cause of inordinate delay of 278 days in filing the First Appeal.

5 Considering the submissions made by the learned counsel for the Applicant and the reasons disclosed in paragraph 8 of the Civil Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application but at the same time, he has to pay cost of Rs.2500/- to the respondent no.1 within four weeks from today. Hence, following order:

- a) Delay of 278 days in filing First Appeal is condoned.
- b) Applicant to pay cost of Rs.2500 to the respondent no.1 or their advocate within four weeks from today, failing which Civil Application shall stand dismissed without referring back to the court.
- c) Civil application stands disposed off accordingly.

**(K.K.TATED, J.)**