

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

CIVIL APPLICATION NO.:1281 OF 2017
IN
FIRST APPEAL (STAMP) NO.:2609 OF 2017

KUDRATALI LIYAKATALI INAMDAR
VERSUS
YOGESH ANNASAHEB SHELAR AND ANOTHER

...

Mr. Shaikh Mazhar A. Jahagirdar, Advocate for Applicant.

Mr. Arun V. Pandao, Advocate for Respondent No.1

Mr. Ajit B. Kadethankar, Advocate for Respondent No.2.

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CORAM : **V. K. JADHAV, J.**

DATE : 02nd February, 2017.

P.C.:

. Heard both the sides in the civil application.

2 The learned counsel for the Applicant submits that the Applicant has sustained permanent disablement of 55% due to the injuries on his right leg and still he is under treatment. The Applicant therefore, could not file the appeal within limitation.

3 The learned counsel for the Respondent / Insurer has strongly resisted the application. However, considering the above submissions made on behalf of the Applicant and for the reasons stated in the application, the delay of 407 days caused in filing the appeal is hereby condoned. Civil application is allowed and accordingly disposed of.

4 In appeal, heard. Issue notice to the Respondents, returnable on 9th February, 2017. The learned counsel appearing for Respondent No.1 / owner and the learned counsel appearing for Respondent No.2 / Insurer waive the service of notice for the respective Respondents.

5 Place First Appeal No.3398 of 2016 on board alongwith the present appeal on 9th February, 2017.

[V. K. JADHAV, J.]

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