

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

49 CIVIL APPLICATION NO. 9220 OF 2016
IN FAST/17492/2016

GULCHAND JAYSINGH KOTWAL
VERSUS
BAJRANG GULCHAND GOMLADU AND ANOTHER

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Advocate for Applicants : Mr. Pahune Patil Nandkishor J.
Advocate for Respondent No.1 : Mr.S.P.Sonpawle.

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CORAM : **V. K. JADHAV, J.**
DATE : 10th April, 2017.

P.C.:

. Heard the learned counsel for Applicant and the learned
counsel for Respondent No.1 / owner.

2 None present for Respondent No.2 / Insurer though duly
served.

3 The learned counsel for Applicant submits that the
Applicant has incurred huge medical expenses due to the injuries
sustained in the accident and leg was also amputated on account of the
injuries sustained by him. The learned counsel submits that due to the
financial constraint, the appeal could not be preferred within the period
of limitation.

4 The learned counsel for Respondent / owner has strongly resisted the application on the ground that the delay has not been explained satisfactorily.

5 In view of the submissions made on behalf of the Applicant and for the reasons stated in the application, the delay of 144 days caused in filing the appeal is hereby condoned. Civil application is allowed and accordingly disposed of.

6 In appeal, heard. Issue notice to the Respondents, returnable on 15th June, 2017. The learned counsel appearing for Respondent No.1 waives the service of notice. Record and proceedings be called for.

[V. K. JADHAV, J.]

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