

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

984 CIVIL APPLICATION NO. 11907 OF 2016
IN FAST/24451/2016

NILESH PUNDALIK KSHIRSAGAR
VERSUS
PUNJARAM GOPINATH JADHAV AND ANR

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Advocate for Applicant : Mr Bhokarikar Madhav M
Advocate for Respondents : Mr Shirsat Ravindra G And G.S. Gadiwan
for R/1

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CORAM : V.K. JADHAV, J.
Dated: February 24, 2017

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PER COURT :-

1. Heard the learned counsel for the applicant and learned counsel appearing for respondent no.1. None appears for respondent no.2 insurer, though duly served.
2. The learned counsel for the applicant submits that, the applicant has suffered permanent disablement and he has incurred medical expenses. Thus, due to financial constraints the appeal could not be preferred within a period of limitation.
3. Learned counsel appearing for respondent no.1 has strongly resisted the application on the ground that delay has not been explained satisfactorily.
4. In view of the submissions made on behalf of the applicant and for the reasons stated in the application, delay of 531 days caused in filing the appeal is hereby condoned. Civil application is allowed and accordingly disposed of.
5. In appeal, issue notice to the respondents, returnable on 7.4.2017. Learned counsel appearing for respondent no.1 waives notice.
6. Call record and proceeding.

(V.K. JADHAV, J.)

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