

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

925 CIVIL APPLICATION NO. 594 OF 2017
IN FAST/30153/2016

ROHIDAS SAHEBRAO PATIL
VERSUS
KAILAS VINAYAK PATIL AND ORS

...
Advocate for Applicant : Mr. R.V. Gore h/f Mr. Shivaji K. Shirse
...

CORAM : K.K. SONAWANE, J.

DATED : 23RD NOVEMBER, 2017.

Order :-

1. Despite service of notice none appears for respondents. The matter pertains to compensation of motor vehicular accident. The appellant has filed claim petition under section 166 of the Motor Vehicles Act which came to be partly allowed by the Tribunal. But the appellant did not satisfy with quantum of Award for his injury. Therefore, he intended to prefer an appeal. But, there was delay of 20 days in filing the present appeal. The learned counsel submits that so called delay is not intentional or deliberate but it caused due to unavoidable circumstances. He prayed to condone the delay.

2. In view of nature of subject-matter and reasons mentioned in the application, I do not find any impediment to condone the delay. Accordingly, the application stands allowed in terms of

prayer clause "B". The delay caused in filing the first appeal against impugned Judgment and Award passed by the learned Tribunal in MACP No. 404 of 2012 dated 02-05-2016 is hereby condoned. Registry to take requisite steps for further process.

3. Civil application stands disposed of accordingly.

Sd/-

[K. K. SONAWANE]
JUDGE

MTK.