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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO. 4399 OF 2014****IN****FIRST APPEAL (ST) NO. 3944 OF 2014**

Shri. Shilakant Jaibinder Zha

.....Applicant

V/s.

Mr. Babasaheb Sitaram Khakate and another

.....Respondents

Mr. T. J. Mendon for the applicant

None for the respondent

CORAM : K. K. TATED, J.**DATE : MARCH 15, 2019.****P.C.**

Heard the learned counsel for the applicant.

2 Though the respondents are duly served, no one appeared on behalf of them when the matter is called out.

3 By this Civil Application, applicant is seeking condonation of

48 days delay in filing First Appeal challenging the Judgment and Award dated 21/08/2013 passed by Motor Accident Claims Tribunal at Mumbai in Application No. 1188 of 2007.

4 Considering the submissions made by the learned counsel for the applicant and the averments made in the Civil Application, I am satisfied that applicant has made out a case for allowing the Civil Application. Hence, following order:

- (I) Delay of 48 days in filing First Appeal is condoned.
- (II) Civil Application stands disposed of.
- (III) No order as to costs.

[K. K. TATED, J.]