

Tikam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION No. 1306 OF 2019
IN
FIRST APPEAL (ST) No. 13375 OF 2018

Mr. Mohanrao Jayuvantrao Chavhan and Anr. ...Applicant
Vs.
Smt. Rekha Balasaheb Desai and Ors. ...Respondents

Mr. Tushar N. Sonawane for Applicant

CORAM : SHRI K.K. TATED, J.

DATE : APRIL 16, 2019

P.C.:

1. Heard learned counsel Mr. Tushar Sonawane for the Applicant. Though the Respondents are duly served, no one appeared on behalf of them when the matter was called out.
2. By this civil application, the Applicant is seeking condonation of 1 year and 145 days delay in filing the First Appeal, challenging the judgment and award dated 3rd September, 2016 passed by the Motor Accident Claim Tribunal, Ichalkaranji, Dist. Kolhapur in MACP No. 34 of 2014.
3. Considering the submissions made by learned counsel for the Applicant and the averments made in the civil application, I am satisfied that the Applicant has made out a case for allowing the civil application.
4. Office note shows that the learned counsel for the Applicant has not removed the office objections in civil application.
5. Hence, following order:

ORDER

- (A) Civil Application is allowed.

- (B) Delay of 1 year and 145 days caused in filing the First Appeal is condoned.
- (C) The Applicant to remove all office objections in the present civil application on or before 4th May, 2019, failing which, civil application shall stand dismissed without referring back to the Court.
- (D) Civil Application stands disposed of accordingly.

[K.K. TATED, J.]