

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

CIVIL APPLICATION NO. 4227 OF 2009

IN

FIRST APPEAL ST. No. 23491 of 2009

Mrs. Sushila Balasaheb Shendage

...Applicant

Versus

Mr. Chandrakant B. Kakade & anr.

...Respondents

.....

Mr. Satyajeet Shirke i/by Jayant J. Bardesakr Advocate for the applicant.

Mr. Nikhil N. i/by KMC Legal Venture for Respondent No. 2.

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CORAM : K.K.TATED, J.
DATED : AUGUST 29th, 2019

P.C.

1. Heard learned counsel for the parties.
2. Learned Advocate for the Applicant submits that the Respondent no. 1 is duly served by paper publication. Statement is accepted.
3. By this Civil Application the Applicant/Original claimant is seeking condonation of 165 days delay in filling First Appeal challenging the Judgment and Award dated 24th November 2008 passed by Motor Accident Claims Tribunal, Kolhabur in Motor Accident Claim Petition No. 416 of 2003 for additional compensation.
4. Considering the submissions made by learned counsel for the Applicant and averments made in Civil Application, I am satisfied that the application has made out a case for allowing the Civil Application.

5. Hence, the following order is passed:

- a) Delay in filing First Appeal, is condoned.
- b) Civil Application stands disposed of accordingly. No order as to costs.

(K.K.TATED, J.)