

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

**INTERIM APPLICATION NO.1096 OF 2021
IN
FIRST APPEAL (STAMP) NO.6190 OF 2021**

Divisional Controller, North East
Karnataka Road Transport
Corporation Division, Yadgir

...Applicant

Versus

Dnyaneshwar Uddhav Vyavhare

...Respondent

....

Mr. C.M. Lokeshappa for the Applicant.

CORAM : ANIL S. KILOR, J.

DATED: 28th JANUARY, 2022.

P.C.:-

1. Heard Mr. Lokeshappa, learned counsel for the Applicant.
None present for the Respondent, though served.
2. Learned counsel for the Applicant submits that there is a delay of more than 300 days in filing the First Appeal challenging the impugned judgment and award dated 30/12/2019 passed by the learned Member, Motor Accident Claims Tribunal, Baramati, in M.A.C.P No.187 of 2016.
3. It is submitted that on 30/12/2019 the impugned judgment and award was passed and the certified copy of the same was ready on 01/02/2020. Thereafter in March-2020 lockdown was imposed due to

Pandemic and therefore the appeal could not be filed within limitation.

4. After considering the reasons stated in the application, I am of the view that sufficient explanation has been offered by the Applicant for condonation of delay. Moreover, as the Respondent has not filed any reply opposing the present application or disputing the above referred facts, in my considered view the delay needs to be condoned. Accordingly, I pass the following order:

ORDER

- (i) The application for condonation of delay is allowed;
- (ii) The delay caused in filing First Appeal is condoned. The office is requested to register the First Appeal and place the same before the Court for admission.

(ANIL S. KILOR, J.)

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