

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

**CIVIL APPLICATION NO. 1217 OF 2001  
WITH  
CIVIL APPLICATION NO.1218 OF 2021  
IN  
FIRST APPEAL (ST) NO. 10105 OF 2001**

Ramrao Ganpatrao Satarka (since deceased)  
Through Legal Heir Rajesh R. Satarkar ..Applicant

v/s.

Asha Satish Shah & Ors. ..Respondents

Mr. Sandeep Jinsiwale for the Applicant .

**CORAM : ANUJA PRABHUDESSAI, J.  
DATED : 16<sup>th</sup> JUNE, 2022.**

**P.C.**

1. By this application the Applicant has sought to condone the delay of 468 days in challenging the Judgment and Award dated 11.8.1999 passed by the Claims Tribunal in Claim Petition under Section 166 of the Motor Vehicles Act. The only ground raised by the Applicant is that the file was sent to the Advocate on 5.10.1999 and that it was misplaced and found only on 9.3.2022.

2. As noted above, the judgment was pronounced on 11.08.1999. The application does not state when the file was misplaced and does not disclose the steps taken to reconstruct the files. The reasons stated in the application, in my considered view, do not constitute sufficient grounds. Hence the Application for Condonation of delay is dismissed.

3. Consequently, the Appeal as well as Civil Application, if any, stand rejected.

4. It is stated that the Applicant has already deposited the amount before the Claims Tribunal. Same to be paid to the Respondent/ Original Claimant as per the order.

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**(ANUJA PRABHUDESSAI, J.)**