

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CIVIL APPLICATION (CAF) NO. 3452 OF 2019

IN

FIRST APPEAL (ST) NO. 14279 OF 2019

Mahendra alias Dipak s/o Ganpat Barai

Vs.

Usha wd/o Shriramji Gabhane and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mrs. H.S. Dhande, Advocate for applicant.

CORAM : ABHAY AHUJA, J.

DATE : 16.09.2022.

This pursis is filed for taking on record, copy of the order in M.J.C. (C.P) No.14/2017, arising out of judgment in Claim Petition No.83/2010. The pursis is allowed. Let the said copy of the order be taken on record.

Civil Application (CAF) No.3452/2019

This is an application filed seeking condonation of delay of 155 days in filing an appeal challenging the judgment and award dated 08.01.2015, passed by the Motor Accident Claims Tribunal, Bhandara, in M.A.C.P No.83/2010.

2. The learned counsel for the applicant draws attention of this Court to paragraphs 2 to 10 in support of the application. She submits that for no fault of the applicant/appellant, the delay has been caused. Learned counsel also submits that the applicant should not be made to suffer on account of in correct advice of counsel.

3. Having heard the learned counsel for the appellant and having perused the delay condonation application, this Court is of the view that the delay of 155 days in preferring this appeal be condoned, as the same does not appear to be deliberate or intentional.

4. The civil application is allowed as prayed for and stands disposed of accordingly.

5. Let the appeal be registered and Memo of Appeal along with compilation of documents and evidence be served on the respondents within a period of eight weeks and an affidavit of service with tangible proof be filed by the next date.

6. List the matter on **14.10.2022**.