

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 1242 OF 2021 IN
FIRST APPEAL ST. NO. 1793 OF 2021**

Nilesh Manikrao Kale

Applicant

Versus

Rohidas Mamtu Rathod & others

Respondents

Mrs. Asha D. Rakh, advocate for the Applicant

Mr. P. F. Patni, advocate for Respondents No.1 & 2.

Mr. R. R. Suryawanshi, advocate holding for Mr. S. R. Sapkal,
advocate for Respondent No.3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 26th June, 2023.

PC :

Heard rival submissions.

The applicant-owner, who has filed this appeal, is seeking condonation of delay of 5557 days which appears to be caused due to his financial crisis.

The learned Counsel for the Respondents No.1 & 2-claimants strongly opposed the application on the ground that delay is huge.

However, in the connected appeals, arising out of

same accident, which were filed by the present applicant, this Court had condoned the delay.

In view of the same and considering the statutory right of the applicant, delay of 5557 days stands condoned subject to the condition that the applicant shall not claim any interest for the aforesaid period of delay.

The appeal be placed for admission after removal of office objections, if any.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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