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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3514 OF 2023
IN
FIRST APPEAL STAMP NO.28308 OF 2018

Bandu Vithal Hingade

APPLICANT

VERSUS

Deepak Kishan Wathore and Another

RESPONDENTS

.....
Mr. Ashutosh Kulkarni h/f Mr. S.H. Panchal, Advocate for applicant
Mrs. Anagha V. Rotte, Advocate for respondent No.2
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 18th OCTOBER, 2024

ORDER :

1. This is an application for condonation of 469 days' delay caused in filing the appeal.
2. Learned advocate for respondent No.2 - Insurer has strenuously opposed the application contending that first appeal was filed in the year 2018 and the delay condonation application is filed belatedly in the year 2023 and the delay is not satisfactorily explained. Hence, the same is not liable to be condoned.
3. For the reasons stated in the application, the application is allowed. For the present, delay of 469 days' is condoned, on the

condition that the applicant – claimant shall not be entitled for interest if the amount of compensation is enhanced by this Court, for the period of delay.

4. Contentions of the Insurer about delay for the period between 2018 to 2023 are kept open to be considered at the time of final hearing of the first appeal.

[NITIN B. SURYAWANSHI]
JUDGE

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