



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

945 CIVIL APPLICATION NO. 5105 OF 2023
IN FAST/1397/2023

NASIM SHAIKH AHMED AND ORS
VERSUS
DESHMUKH BABURAO MAHAJAN AND ORS

...
Mr. V. D. Khivsara, Advocate h/f Mr. R. S. Wani, Advocate For Applicants
...

WITH
CIVIL APPLICATION NO. 5106 OF 2023
IN FAST/1397/2023
...

CORUM : ROHIT W. JOSHI, J.
DATE : 4th APRIL, 2025

ORDER :

CIVIL APPLICATION NO. 5105 OF 2023 :

1. The original claimant petitioners in Motor Accident Claims Petition No. 243 of 2015 have filed the present application seeking condonation of delay of 226 days caused in filing First Appeal under Section 173 of the Motor Vehicles Act. The deceased is husband of the applicant No. 1 and father of applicant nos. 2 and 3 who are minors and son of the applicant Nos. 4 and 5. The family has lost a young male member leaving behind his parents, widow and minor children.

2. In that view of the matter, it will be appropriate in the interest of justice to condone the delay in order to enable the applicants to prosecute the appeal on merits. Civil application is allowed.

3. Issue notice for final disposal to the respondents, returnable on 20.06.2025.

4. Appellants/Applicants are directed to serve the respondents by Registered Post Acknowledgment Due in addition to regular mode of service.

[ROHIT W. JOSHI, J.]

ks_kamble/