



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

9 CIVIL APPLICATION NO. 2836 OF 2024
IN FAST/3089/2024

PANDIT VITTHAL GHADAGE
VERSUS
PANDURANG BALIRAM KESARE AND ORS

...
Advocate for Applicant : Mr. Kadam Jaydeep S.
Advocate for Respondent Nos. 1 & 4 : Mr. Waghmare Omprakash V.
Advocate for Respondent No. 2 : Mr. Usmanpurkar Aniruddha S.
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CORAM : S. G. CHAPALGAONKAR, J.
Dated : 28.03.2025

PER COURT :-

1. Heard learned Advocates appearing for respective parties.
2. Applicant seeks condonation of delay of 604 days caused in filing appeal.
3. Applicant submits that impugned judgment and award passed on 08.03.2021 is during period of Covid-2019 pandemic. Thereafter he met with an accident on 15.11.2022 and suffered hospitalization till 01.11.2022. As per Doctor's advice he took rest.
4. Mr. Usmanpurkar, learned Advocate appearing for respondent No. 2 submits that even considering all these aspects, further delay has not explained since the present application is filed on 23.01.2024.
5. Considering submissions advanced and difficulties posed in the application and the fact that applicant is litigating for getting just compensation towards accidental injuries, delay deserves to be condoned.
6. Hence application stands allowed and disposed off.
7. Delay of 604 days caused in filing appeal stands condoned subject to condition that applicant files an undertaking to satisfaction of Registrar, (Judicial) of this Court that he shall not claim interest for a period of delay i.e. 604 days, in case his appeal is favorably considered and enhanced compensation is awarded.
8. An undertaking to be filed within a period of four weeks from today and it shall be made part of appeal.

(S. G. CHAPALGAONKAR)
JUDGE