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

**948-2 CIVIL APPLICATION NO. 7041 OF 2023
IN FAST/11119/2023**

**BALAJI ASHOKRAO KADAM
VERSUS
ALFA RAJENDRA KALSE AND ANR**

....

Mr Fayaz K. Patel, Advocate for applicant
Mr S. P. Kausalye, Advocate for respondent No.1

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 6th May, 2025

PER COURT:

1. This is an application for condonation of delay in filing the First Appeal. The appeal is filed by the driver of the two wheeler which was involved in the accident. By the impugned judgment and order liability is fastened upon the driver and the owner of that two wheeler.

2. Learned counsel for the appellant submits that the delay occurred because the appellant is the driver and he was required to arrange for the amount for court fees and seek proper advise for filing the instant appeal.

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3. considering the reasons mentioned in paragraph No.3 of the civil application, the delay needs to be condoned in the interest of justice.

4. In view of this, the civil application is allowed. Delay of 355 days in filing the First Appeal is condoned.

(PRAFULLA S. KHUBALKAR, J.)

sjk