



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

73 CIVIL APPLICATION NO. 5089 OF 2025
IN FAST/13296/2025
WITH
CIVIL APPLICATION NO. 5090 OF 2025
IN FAST/13296/2025

MAHARASHTRA STATE ROAD TRANSPORT CARPORETION PARBHANI
VERSUS
DIGAMBER PANDURANG GAWALE AND ANR.

...
Mr. D. S. Bagul, Advocate for Applicant

...
CORAM : AJIT B. KADETHANKAR, J.
DATE : 15th SEPTEMBER 2025

PER COURT :-

CIVIL APPLICATION NO. 5089 OF 2025

1. This is an application seeking condonation of delay against the judgment and award dated 07.12.2024, passed by the learned Member, Motor Accidents Claims Tribunal, Parbhani, in M.A.C.P. No.307/2023.

2. The learned counsel for the applicant submits that there is delay of only 45 days in filing the First Appeal. He further submits that the delay is not due to any lethargy, negligence or deliberate attempt to protract the proceedings. He further submits that the delay is caused due to administrative exigencies in seeking various approvals to file the appeal and to procure the funds i.e. court fees to file the appeal.

3. Notice was issued in this matter and record shows that respondent nos.1 and 2 are served.

4. The learned counsel for the applicant submits that in Civil Application No.5090 of 2025, an order was passed directing the applicant/appellant to deposit the entire payable award amount in this Court. He submits that such amount is deposited in this Court and as such, the interest of the claimant is well protected.

5. In view of this, I pass following order :-

ORDER

- a. Civil Application stands allowed.
- b. Delay of 45 days in filing the First Appeal is hereby condoned.
- c. Registry to register the appeal, subject to removal of office objections, if any, by the applicant/appellant within two weeks from today.

6. On registration of the appeal, issue notice to the respondents.

7. The matter be listed after service of notice is complete. In the meantime, applicant/appellant shall take recourse to the provisions enumerated in Chapter II of the Bombay High Court Appellate Side Rules, corresponding to the stage and requirement of matter.

[AJIT B. KADETHANKAR, J.]