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936 CA 13547 OF 2023

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

936 CIVIL APPLICATION NO. 13547 OF 2023 IN FAST/27799/2023

MOHAN SAKRU JOSHI

VERSUS

NASRULLAKHAN SHERKHAN AND ANR

- ...
- Ms. Kirti Deshpande h/f. Mr. M. M. Bhokarikar, Advocate for Applicant
- ...

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 02.07.2025

PER COURT :-

1. This is an application for condonation of delay in filing the First Appeal challenging the judgment and award passed by Motor Accident Claims Tribunal, Jalgaon. Notices were issued on this Civil Application, and respondent No.1 is served by way of paper publication, copy of which is filed on record. Respondent No.2 is served, and today nobody appears for respondent No.2. Learned counsel for the applicant submits that the applicant/original claimant is the injured person who suffered injury in the accident with respect to which the instant appeal is filed. She further submits that the delay occurred because the applicant had no means to arrange the necessary funds for taking steps to file the instant appeal. Further, she submits

that the applicant has permanent disability and therefore was not in a position to take immediate steps to file the appeal.

2. Having regard to the contentions of the Civil Application, the reasons for delay as mentioned in paragraph No.3 (a to h) and the submissions advanced, the delay of 130 days in filing the appeal needs to be condoned in the interest of justice.

3. The delay is condoned. The Civil Application is allowed and disposed of.

4. The First Appeal be registered.

(PRAFULLA S. KHUBALKAR, J.)