

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 6890 OF 2025

IN

FIRST APPEAL STAMP NO. 33307 OF 2024

M/s. Amit Developers

... Applicant

Versus

Satish Bapurao Bhujbal and Ors.

... Respondents

.....

Mr. Ketan Dhavle, Advocate for the Applicant.

Mr. Yatin Malvankar, Advocate for Respondent Nos. 1 to 3.

CORAM : R. M. JOSHI, J.

DATED : 3rd November, 2025.

P.C. :

1. This application is for condonation of delay of 511 days in filing First Appeal against Judgment and Award dated 29.03.2023 passed by the Motor Accident Claims Tribunal, Pune in M.A.C.P. No. 13 of 2020.
2. Heard learned counsel for the applicant and learned counsel for respondents/original claimants.
3. It is contention of learned counsel for the applicant that though the applicant has not contested these proceedings before the Tribunal on merit, on the point of law there is a good case which could be made out before this Court. It is his submission that even accepting the evidence on record as it is, the Tribunal ought not to have granted compensation as directed to be paid under the impugned Judgment and Award. In so far as

the condonation of delay is concerned, it is his submission that no malafides can be attributed to the applicant for not filing the appeal in time and the delay has been explained satisfactorily.

4. Learned counsel for the respondents vehemently opposed the application by contending that since before the Tribunal the claim petition has proceeded without context, no case could be now made out by the applicant before this Court.

5. At this stage, this Court is required to see as to whether the sufficient cause is made out for the delay condonation in preferring Appeal. It cannot be said that the delay is intentional or has caused any prejudice to the other side. Imposition of appropriate costs will meet end of justice. In the facts of the case cost is determined at Rs.10,000/-. The cost to be paid to the respondents. The cost be paid by respondent / original claimant within a period of three weeks. If cost is not paid application shall stands dismissed without reference to the Court.

6. In view of above, I pass follow order:

ORDER

- i. Interim Application stands allowed and disposed of.
- ii. The delay stands condoned, subject to the cost of Rs.10,000/- as noted above. The Appeal be registered; in case cost is paid / deposited in this Court in stipulated time.

- iii. If cost is not so paid, this order shall stand recalled and application shall stand dismissed without reference to the Court.

SONALI
SATISH
KILAJE

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by SONALI
SATISH KILAJE
Date:
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(R. M. JOSHI, J.)