

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 14892 OF 2024
IN
FIRST APPEAL (ST) NO.24418 OF 2024**

Kanad Jaykumar Lawande ...Applicant
vs.
The Municipal Corporation of Gr. Mumbai ...Respondent

Mr.Niketan Nakhawa, for the Applicant.

Mr. Sagar Shetty, for the Respondent-BEST.

CORAM : SHYAM C. CHANDAK, J.

DATED : 3rd March, 2025.

P. C. :

INTERIM APPLICATION NO. 14892 OF 2024

1 The present application is seeking condonation of 1 year, 5 months and 56 days delay in filing the aforesaid Appeal.

2 Learned Advocate for the applicant submitted that since the date of sustaining accidental injuries, the applicant is suffering from severe pain as well as financial constraints. Even though, the judgment and order to be impugned was delivered on 13th July, 2022, the respondent took one year to deposit the award amount. In this background, the applicant could not file the Appeal in time. He

submitted that on 17th February, 2025, the applicant has to undergo an operation for herniated disc, caused due to this accident.

3 Learned Advocate for the respondent opposed the application strongly.

4 However, considering the submissions for the applicant, the application is allowed and delay of 1 year, 5 months and 56 days is condoned.

5 Appeal be registered forthwith.

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1 Issue notice to the respondent, returnable forthwith.

2 Learned Advocate for the respondent waives notice, subject to the appellant serve him copy of the Appeal alongwith the documents enclosed, within three weeks from today.

3 Stand over to 15th April, 2025.

[SHYAM C. CHANDAK, J.]