



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION (CAF) NO. 1173 OF 2025

IN

FIRST APPEAL ST NO. 18926 OF 2024

(Mangesh s/o Macchindra Patil Vs. Madhukar s/o Chaitram Pardeshi and anr)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. M.N. Hiwase, Advocate for the applicant.

Ms. Mugdha Mundle, Adv h/f Mr. H.V. Thakur, Advocate for respondent No.2.

CORAM : ABHAY J. MANTRI, J.

DATED : 19-08-2025

Heard.

2. The applicant/appellant has filed this application to condone the delay of 259 days caused in filing the appeal, as he did not have sufficient funds to file the appeal, for which learned counsel for respondent No. 2 has objected. None appears for respondent No. 1, though served.

3. Having considered the reasons disclosed in the application and the fact that since the applicant has suffered injury in the accident and therefore, he could not file this appeal in time for want of sufficient funds and considering that the Motor Vehicle Act is a beneficial legislation, I deem it appropriate to allow the application.

4. The application is allowed and a delay of 259 days in filing the appeal is condoned, subject to costs of Rs. 2,000/- to be paid to the Vidarbha Lady Lawyers Association, Nagpur, within two weeks as requested by the learned advocate for the respondent. If the costs are not paid in time, the application shall stand dismissed without reference to the Court.

5. If the costs are paid, the appeal shall be registered accordingly.

FIRST APPEAL ST NO. 18926 OF 2024.

Heard.

2. Having considered the grounds raised in the appeal memo, the appeal is '**Admitted**', subject to payment of costs as stated above.
3. Issue notice to the respondents, returnable after four weeks.
4. Mr. Thakur, learned counsel, waives notice for respondent No.2.
5. Call for record and proceedings.

(ABHAY J. MANTRI, J.)

Belkhede