



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

15 CIVIL APPLICATION NO. 4662 OF 2025
WITH
CIVIL APPLICATION NO. 4663 OF 2025
IN X-APLST/11436/2025

Vipul Ulhas Patil And Anr

VERSUS

The New India Assurance Company Ltd Through Its Branch Manager
and others

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Advocate for Applicant : Mr. M.M. Bhokarikar

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CORAM : SANJAY A. DESHMUKH, J.

DATED : 23rd MARCH, 2026

PER COURT :-

1. The civil application No. 4662 of 2025 is filed for condonation of delay of 682 days caused in filing the cross appeal.

2. Perused the application. Heard learned advocate for the applicants. Learned advocate for the applicants pointed out the grounds for condonation of delay and submitted that the delay is not caused deliberately. On the contrary, it was caused because of change of software and E-filing and therefore, he could not file the cross appeal within time. Considering the reasons stated in the application, it is very clear that the delay is not caused deliberately. The delay therefore, deserves to be condoned. It is accordingly condoned.

3. As far as the office objection in respect of payment of court fees is concerned, learned advocate for the applicants pointed out the judgment of this Court in the case of ***Shivshankar s/o Khandu Udtewar vs. the Managing Director, D.C.C. Bank Latur and others***, in Civil Revision Application No. 106 of 2025 and other connected matters, decided on 07.08.2025, in which it is held that if the claim is restricted then the claimant is not bound to pay the court fees on entire amount of claim. Considering the law laid down by this Court in the above case, office objection is discharged.

4. In cross appeal, issue notice to the respondents, returnable on 04.05.2026.

(SANJAY A. DESHMUKH, J.)

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