



Suzana

**IN THE HIGH COURT OF BOMBAY AT GOA**

**MISC.CIVIL APPLICATION NO.67 OF 2025**

**IN**

**FIRST APPEAL NO.808 OF 2024 (F)**

**SANJU @ SANJIV ARJUN GAONKAR**

**... APPLICANT**

**Versus**

**PRASAD ATCHUT NAIK AND 2 ORS**

**... RESPONDENTS**

Ms Akshata Kannur, Advocate (through V.C.) for the Applicant.

Ms. Prajali Tari, Advocate for Respondent No. 2.

Ms. Gauri Borkar, Advocate for Respondent No.3.

**CORAM:- VALMIKI MENEZES, J.**

**DATED :- 12th March, 2026**

P.C.

Though the application is vehemently opposed by the Respondents, stating that the delay of 283 days in filing the First Appeal against the Award passed by the Motor Accident Claims Tribunal has not been properly explained, the same is allowed for the following reasons.

2. The application itself states medical reasons why the Appellant was unable to file the Appeal. This is supported by case papers of the Directorate of Health Services, i.e. PHC, Mayem, to justify the treatment undergone by the Applicant. Though it is true that treatment for various ailments, which include hypertension, was intermittent

over a period of one year, this was compounded by the fact, as stated in the application, that the Appeal also could not be filed due to the mistake of the Advocate. The Advocate's affidavit has also been filed along with the application. There is no reason to disbelieve the statements made for seeking condonation of delay.

3. For all the aforesaid reasons, the application is allowed. The delay of 283 days in filing the First Appeal is condoned. Application stands disposed of.

**VALMIKI MENEZES, J.**