

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

**FIRST APPEAL (ST) NO. 9978 OF 2009
WITH
CIVIL APPLIATION NO.1857 OF 2009
AND
FIRST APPEAL (ST) NO. 9978 OF 2009**

The New India Assurance Co. Ltd., ... Applicant.
In the matter of :

The New India Assurance Co. Ltd., ... Appellant.
Versus.

Subhash Trimbak Dabhade & Anr., ... Respondents.

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Mr.A.Z.Mookhtiar, Advocate for Applicant/Appellant.

Mr.PL.Bhujbal, Advocate for Respondent No.1.

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CORAM :MRS.MRIDULA BHATKAR, J.

DATE:24th DECEMBER 2013

PC. :

Application is moved for the condonation of delay by the appellant-Insurance Company. The learned counsel submits that delay of 134 days is caused due to the procedural requirements and also time taken to seek the legal assistance. The learned counsel for the respondents/ original original applicants submits that the appeal is not maintainable. Hence, delay not be condoned.

2. The grounds of the appeal will be considered at the time of admission and respondents/original applicants to raise this point at that time. In view of the reasons given in the application in paragraph 4 of the application, delay of 134 days is condoned. Accordingly, the civil application is disposed of.

(MRS. MRIDULA BHATKAR, J.)