

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.5234 OF 2014
IN F.A. [ST] NO.12885 OF 2014

The New Indian Assurance Company
Ltd. ..Applicant

Versus
Vishwanath Bapurao Chilwant
and ors. ..Respondents

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Mr.M.S.Kulkarni, advocate for applicant

Mr.P.N.Kalani, advocate for respondent nos.1 to 3

Mr.V.P.Latange, advocate for respondent no.4

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CORAM : M.T. JOSHI, J.

DATE : JANUARY 05, 2015

PER COURT :

Heard both sides.

2] The delay of 52 days caused in filing the First Appeal is sought to be condoned by the applicant - Insurance Company on the ground that there was a communication gap in respect of receipt of the certified copy of the judgment passed by the M.A.C.T.

3] Upon hearing both sides, in my view, sufficient cause is made out. The delay is condoned. The application is allowed with no order as to costs.

[M.T. JOSHI, J.]

kbp

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2] It is an admitted fact that the interim direction to deposit the entire amount under the award in this Court, is followed.

3] In the circumstances, the interim order is hereby made absolute on the same terms and

conditions. The application is hereby allowed and disposed of as such.

4] Learned counsel for the respondents waive notice in appeal for the respective respondents. List the appeal for hearing at the stage of admission after six weeks. Call Record and Proceedings.

[M.T. JOSHI, J.]

kbp