

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**Civil Application No.8683 of 2012
In
Appeal from Order Stamp No.19372 of 2012**

Prayagbai W/o Damodar Kakde
And Others.

.. Applicants.

Versus

Gorakh S/o Machindra Pawar
And Others.

.. Respondents.

Shri. Ganesh V. Mohekar, Advocate, for applicants.

Shri. S.N. Patne, Advocate for respondent No.1.

CORAM: T.V. NALAWADE, J.

DATE : 30th JULY 2015

ORDER:

1) Heard learned counsel for the applicants and the learned counsel for the original claimant. Other respondent, Insurance Company, was duly served. The application is filed for condonation of delay of 140 days caused in filing appeal against the order made by the Motor Accident Claims Tribunal in Misc Application

No.15/2010. The Claims Tribunal has refused to set aside the ex parte judgment and order under section 166 of the MV Act passed in MACP No.4/1998. In view of the contents of the application and the submissions made by the applicants and also the insurance cover note shown to this Court today this Court holds that sufficient cause is shown. So the application is allowed. Delay is condoned.

2) Notice on appeal. It is waived by the learned counsel for the original claimant. Notice to insurance company, respondent No.3 is made returnable on 7th September 2015. Copy of the insurance cover note is to be produced on the record.

Sd/-
(T.V. NALAWADE, J.)

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