

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

**CIVIL APPLICATION NO. 10697 OF 2014
IN
FIRST APPEAL STAMP NO. 25652 OF 2014**

Sundrabai Rajendra Jaybhaye .. Applicant

Versus

Dnyaneshwar @ Mauli Tukaram Pandit
and another .. Respondents

Shri N. K. Kakade, Advocate h/f Shri M. R. Khutwad, Advocate
for the Applicant.

Shri Prashant R. Nagare, Advocate for the Respondent No. 1.

Shri Mohit Deshmukh, Advocate h/f Shri S. G. Chapalgaonkar,
Advocate for the Respondent No. 2.

CORAM : S. V. GANGAPURWALA, J.

DATE : 28TH AUGUST, 2015.

PER COURT :

. This is an application for condonation of delay. Mr. Kakade, the learned counsel for the applicant submits that, the delay was caused as the applicant had filed application for review. After rejection of the application for review the copies were applied. Some time was lost in seeking advise of the advocate. The delay is caused due to prosecuting wrong remedy i. e. filing review application.

2. Mr. Deshmukh, the learned counsel for the Insurance company opposes the application on the ground no sufficient cause is stated.

3. I have considered the submissions. It appears that, the proceedings against the present applicant were decided ex-parte. The applicant had filed application for review. Time was consumed for prosecuting said application, as such delay was caused. Even otherwise averments made in the application are not controverted by filing affidavit.

4. The learned counsel for the claimant does not raise objection to this application. In the light of above, the application is allowed. The delay is condoned. The civil application is disposed of.

[S. V. GANGAPURWALA, J.]