

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

CIVIL APPLICATION NO.130 OF 2015 IN
FIRST APPEAL ST.NO.33538 OF 2014

United India Insurance
Company Ltd., through its
Divisional Manager,
Ahmednagar

..Applicant

Versus

Smt.Shobha Prakash Chavan
and ors.

..Respondents

Mr S.V. Kulkarni, Advocate for applicant
Mr R.B. Dhakane, Advocate for respondents No.1 to 4
Mr P.B. Rakhunde, Advocate h/f Mr S.B. Bhapkar, Advocate for
respondent No.5

CORAM : N.W. SAMBRE, J.

DATE : 8th April 2015

PER COURT

1. This is an application for condonation of delay of 10 days caused in preferring the present appeal by the Insurance Company.
2. The cause for the delay narrated in the application is, the time consumed in taking decision at administrative level which is strongly objected by the learned Counsel for the respondents, as according to them, same cannot be termed as sufficient cause within the meaning of Section 5 of the Limitation Act.
3. This Court, on 7th January 2015, had directed the applicant to deposit 50% of the amount under the award together with interest, however that was not complied with. Today, the learned Counsel for the applicant has made a statement that he shall be depositing the said amount within a period of three days from today, as he is already

in possession of Cheque for the amount of Rs.5,71,725/- in addition to Rs.25,000/- which was deposited at the time of filing of the present appeal.

4. Upon compliance of the aforesaid statement, the delay of ten days caused in preferring the first appeal would stand condoned and the application shall stand allowed without reference to the Court.

5. The claimants will be at liberty to apply for withdrawing the amount deposited by the applicant-Insurance Company.

(N.W. SAMBRE, J.)

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