

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

***CIVIL APPLICATION NO. 2239 OF 2014  
IN  
FIRST APPEAL (ST) NO. 17047 OF 2014***

ICICI Lombard General Insurance Co. Ltd. ... Applicant

v/s

Savita Sanjay Guddur & ors. ... Respondents

Mr.Rahul Mehta i/by KMC Legal Venture for the applicant.

Mr.M.A.Choudhari for respondent Nos.1 and 2.

***CORAM: K.K.TATED, J.***

***DATED : 21 JANUARY 2015***

**PC.:**

Heard learned counsel for parties.

2     Though respondent No.3 is duly served no one appeared on behalf of him when the matter is called out.

3     This application is preferred by original opponent No.2 Insurance Company for condonation of 104 days' delay in filing the first appeal challenging the judgment and award dated 28 November 2013 passed by the Motor Accident Tribunal, Solapur, in M.A.C.T. Application No.146 of 2008.

4 Considering the submissions made by learned counsel for applicant, I am satisfied that the applicant has made out a case for allowing the civil application. Hence the following order :-

### **O R D E R**

Civil application allowed in terms of prayer clause (A) which reads thus -

- (A) That the delay of 104 in filing the appeal is condoned.
- (B) Civil application disposed of accordingly.
- ( C) Advocate for the applicant is directed to serve a copy of the appeal memo along with all exhibits on advocate for respondent Nos.1 and 2 within two weeks from today.
- (D) Office is directed to place the First Appeal (St) No. 17049 of 2014 for admission on 13 February 2015.

***K.K.TATED, J.***